

15 The Jerusalem Post

WEATHER

Jerusalem 15-20
Tel Aviv 18-27
Beersheva 15-21
Eilat 25-30

Forecast: No change in trend. Partly cloudy to clear.

AROUND THE WORLD

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EIGHT PAGES FROM SUNDAY'S The New York Times WEEKLY REVIEW

THE JERUSALEM POST

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Peres in Madrid to push EU-Israel trade deal

JOSE ROSENFELD

IN a last-ditch effort to get European Union ministers to include the approval of the free-trade area agreement with Israel in their agenda today, Foreign Minister Shimon Peres yesterday flew to Madrid to push the pact.

Although the ministers were originally scheduled to approve in principle the trade pact with Israel at their meeting in Luxembourg today, the agreement was taken off the agenda as significant differences remained over several provisions.

Despite those disagreements, the cabinet approved in principle the proposed pact last Wednesday, under Peres's pressure to try to conclude the agreement under the French EU presidency, which is to end at the end of the month.

Foreign Ministry officials noted that failure to get the EU approval today will formally delay it for half a year, when the EU ministers will meet again.

The officials said the EU took the agreement off the agenda due to the delays created by several Israeli ministers' objections, which led the Europeans to reopen issues that were previously considered closed by both sides.

Industry and Trade Minister Micha Harish, who led the fight against approving the trade pact in its present form, recorded his objection to the cabinet's decision, which was made while he was away in Russia last week.

Although the cabinet decision adopted most of Harish's conditions for signing a final accord, it turned most of the oppositional propositions into recommendations, thereby eliciting his opposition, explained Industry and Trade Ministry Director-General Yossi Snir.

The only necessary condition adopted by the cabinet was that Israel participate as a non-voting member in the committees that manage EU-wide research and development projects.

The remaining issues of opening European government procurement to Israeli high-tech industry, preserving access to agricultural goods, processed foods, and reimported goods with Israeli content, could represent several hundreds of millions of dollars in exports, said Snir.



Palestinian Authority Chairman Yasser Arafat welcomes US Secretary of State Warren Christopher to his Jericho headquarters yesterday. Story, Page 2.

IDF to retain freedom of access after redeployment

DAVID MAKOVSKY

THE IDF will retain its freedom of access in Palestinian cities and villages after redeployment, participants cited Prime Minister Yitzhak Rabin as telling yesterday's weekly cabinet session.

"The IDF will have freedom of movement. Oslo calls for redeployment during this second phase, not withdrawal, as was the case in Gaza and Jericho," an aide to Rabin told reporters after the cabinet meeting.

But Foreign Ministry officials have said that even if Israel retains freedom of movement throughout the territories, it would use it very sparingly so as to allow the Palestinian Authority to handle terrorism.

Channel 2 news reported last night that Chief of General Staff Lt.-Gen. Amnon Lipkin-Shahak also said he did not believe the IDF would actually enter Palestinian cities after the redeployment.

Israel does not believe it must conclude a redeployment agreement with the Palestinians by July 1 at any price, as its first priority is to resolve all unsettled issues, Rabin told the cabinet.

At the same time, the government is serious about concluding a deal with the Palestinians and Syrians, Rabin said. He voiced frustration that there are still major segments of the public that fail to realize that the "enemies

of yesterday are the partners of today, and enemies of the present do not have to be the enemies of tomorrow."

The issue of the army's freedom of movement is only one of the issues still unresolved in the current negotiations. It is believed that some of these disputes can be resolved through direct contact between Rabin and PA Chairman Yasser Arafat. Among the unresolved issues are:

- Redeployment: Israel is willing to redeploy away from four cities in the territories, Police Minister Moshe Shahal said publicly yesterday.
- Sources say they are Jenin, Nablus, Tulkarm, and Kalkilya. But the Palestinians want guarantees the IDF will redeploy away from all seven Palestinian cities within two months after the Palestinian elections.
- Israel wants redeployment linked to PA success in curbing terror, and wants to remain in certain areas until bypass roads to settlements there have been completed.
- Palestinian elections: At least three Jerusalem-related issues remain unresolved. Israel does not want Jerusalem Palestinians to be allowed to run for office; it wants Palestinian ballot boxes placed outside of the city limits; and it wants voter registration to take place under the auspices of the Population Registry authorities. Furthermore, it wants to ensure that militants, who are either currently in prison or who perpetrated attacks after Oslo, are prohibited from running for office.
- Civilian authority: Israel now says that it is willing to negotiate the transfer of part or all of 33 different spheres to the Palestinians. However, it will likely seek to retain a veto in several spheres, including water usage and select use of public lands. Israel is willing to abolish the civil administration, but insists another military body retain those functions not transferred to the Palestinians.
- Civil administration officials yesterday presented Rabin with plans to transfer authority in the areas of commerce and industry, gas, fuel, agriculture, employment, postal services, insurance, and municipal affairs.
- The Palestinian Covenant: Rabin wants the PLO to provide an exact date on which the Palestine National Council will convene to amend the covenant clauses calling for the destruction of Israel. It is also being suggested that Arafat run on a platform calling for the modification of the covenant.
- According to one Labor minister, a deal with the PA must await Israel ensuring that none of the four cities from which it will redeploy has an Islamic militant infrastructure that could wreak havoc on nearby Jewish settlements.

Alon Pinkas contributed to this report.

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ITS quickly cleared its total security. When arrived, they found no village and did not work. Work continued in the area.

MK Assaf said residents of the village were not allowed to live there. Instead, he said, they should be given a new village.

The Israeli government has been accused of building a road through the village of Beit Hanina, which is a Palestinian town. The road would allow Israeli vehicles to travel through the town, which is a violation of the Oslo Accords.

Away from the cameras

REMEMBER early August 1993. It may be a useful time to remember as one seeks to evaluate US Secretary of State Warren Christopher's just completed trip to the region.

COMMENT DAVID MAKOVSKY

Back then, Christopher visited here and Damascus in a bid to inject optimism in the moribund Syrian track. Foreign Ministry officials were even more optimistic than he was, and media headlines began predicting an impending breakthrough.

However, Christopher was unaware that they had a hidden agenda. Those at the top were in the last stages of negotiations with the PLO in Oslo. By promoting the Syrian track, they wanted to give Yasser Arafat the impression that the Syrian train was about to leave the station and he should make the final concessions before it would be too late.

The headlines are again focusing on Syria, and again, away from the cameras, the immediate focus is the Palestinians.

While Christopher admittedly made significant strides on this trip, officials privately concede that the incremental nature of both Syrian President Hafez Assad and Prime Minister Yitzhak Rabin insures that there are at least many months of tough negotiations to go.

In contrast, talks are quietly in full gear about reaching an interim agreement that would begin to transform the territories by having the Palestinian Authority take over most Arab cities. Even if the deal is not sealed in two weeks as planned, both sides say it should occur within the next month or so.

Officials dealing with the Palestinians are once again thankful that Christopher put the Syrian track in the headlines. Like

most negotiators, they see media attention on their own talks as only complicating their task.

And once again, they are hopeful that a focus on Syria may make Arafat nervous enough to believe Israel is about to switch channels. However, in truth, the only train leaving the station is departing from places like Jenin, Nablus, Tulkarm, and Kalkilya.

Cohen's return ed tomorrow

EVA TSUR

navigation in the Israeli Air Force and the return of the aircraft carrier USS Nimitz to the Mediterranean Sea. The carrier is expected to return to the Mediterranean Sea tomorrow.

Rabin to meet Chirac, visit Paris Air Show

ELDAD BECK PARIS

PRIME Minister Yitzhak Rabin arrived here last night for a two-day working visit, during which he will lunch with President Jacques Chirac, meet with Prime Minister Alain Juppé and Foreign Minister Hervé de Cretteville, and visit the Israeli pavilion at the Paris Air Show.

This will be the first time a senior Israeli official is meeting with the new French leadership. At the air show, Rabin will meet with the leaders of major French and American defense industries.

Meanwhile, Defense Ministry Director-General David Levy, in officially opening the Israeli pavilion at the air show, said that Israel's defense industry can take advantage of the opportunities offered by improving relations with many countries. He noted that relations with France are gradually but constantly improving in the defense and security sphere.

The pavilion's slogan is "strengthening peace." Many of the 20 companies represented are spinning off their defense-related products into the civilian sphere.

The main attraction was the electronic rescue system, developed by Elisra, a Tadiran subsidiary, which allowed the US Air Force to locate downed pilot Scott O'Grady in Bosnia last week.

Kahalani, Zissman, Sheffi call on government to resign

SARAH HONIG and LIAT COLLINS

THREE Labor MKs yesterday called on the government to resign and schedule new elections.

Avigdor Kahalani, Emanuel Zissman, and Ya'acov Sheffi voted along with all Third Way executive members for a resolution demanding new elections "before this government creates any irreversible facts on the Golan and in Jerusalem."

This resulted in an immediate stir in Labor and Secretary-General Nissim Zivili has summoned the three to a meeting with him today.

Meanwhile, three identical bills concerning the Golan Heights are expected to be submitted on Wednesday. The three are being submitted by Kahalani, Sheffi, and Zissman, Eliezer Zandberg (Yotvat), and Esther Salmovitz (Yotvat).

The Third Way executive also asked to meet with Rabbi Ovadia Yosef in a bid to enlist Shas's five MKs to vote for the Golan bills, which call for a special Knesset majority of 70 MKs and 50 percent of eligible voters in a referendum to approve any territorial compromise.

The resolution is seen as bringing the Third Way nearer to turning into a political party and running in the 1996 elections. This is the first time the Third Way had actually called for the government's resignation or used such strong language about it.

The Labor faction is expected to meet before the vote on Wednesday morning to ratify a decision taken at last week's party convention, barring anyone who votes against a decision approved by two-thirds of the faction from running in the next party primary elections. Kahalani said he will vote in favor of his own bill "and pay the price." Zissman is expected to abstain; and Sheffi, the party whip, is still undecided.

In contrast to previous calls in Labor for Kahalani's ouster, if he votes for his own bill, there is now growing support for not pushing him out if the bill fails to pass.

In the much-splintered Y'ud, Energy Minister Gonen Segov could find himself in a reverse situation from Kahalani's.

The faction is scheduled to meet today and determine that sanctions be taken against a member who opposes Salmovitz's bill. Alex Goldfarb is expected to either absent himself or abstain, but Segov will almost definitely vote with the government.

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YOUR WEEK JUST GOT EVEN BRIGHTER THE JERUSALEM POST

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Agency starts air route to avoid Chechnya

BATSEVA TSE

THE continued fighting in Chechnya has forced the Jewish Agency to start a new air route to avoid the conflict zone. The route will fly over the Caspian Sea and land in Israel.

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Free-trade pact with Jordan delayed

THE trade agreement with Jordan is on hold because the kingdom has backed out of its commitment to sign a free-trade agreement within three years, Industry and Trade Ministry Director-General Yossi Snir told *The Jerusalem Post* yesterday.

Although the peace agreement with Jordan refers to concluding negotiations on free trade between the

two countries, the Jordanians backed out of that commitment following the recent appointment of the kingdom's new prime minister.

Negotiators had agreed in principle to conclude a free-trade agreement within three years that would eliminate all duties between the countries within 12 years, as part of a most favored nation (MFN) trade

JOSE ROSENFELD

agreement.

According to Snir, the Jordanians are now interpreting the peace agreement as meaning that the countries will set up free-trade zones, instead of concluding a free-trade agreement.

Israel has rejected Jordan's interpretation and has noted that should the kingdom stand fast on its refusal, the countries will have to renegotiate.

ate the treaty, which gives preferential treatment to goods from both sides.

The draft agreement provides Jordanian products tariff reductions of up to 50 percent, while a limited list of Israeli products are entitled to a 10% reduction in duties.

Snir said the Jordanian refusal would torpedo the draft agreement, sending negotiators back to square one. "The agreement cannot remain the way it is, since what will Israel tell Egypt when it complains that its terms are not as favorable as Jordan's," explained Snir.

The kingdom was accorded more favorable terms based on its commitment to move to a free-trade agreement. Once that commitment is removed, the rationale for better terms is gone, said Snir.

Israel is now waiting for Jordan's trade minister to meet with Industry and Trade Minister Micha Harish to try to resolve the issue. Based on the decisions at the political level, negotiators will either conclude the existing treaty or negotiate a new one, said Snir.

Christopher: US will step up role in peace process

Arafat urged to hold elections

US mediators will take an active role in helping Israel and the PLO meet the July 1 target date for agreement on IDF redeployment and Palestinian elections, US Secretary of State Warren Christopher said yesterday.

"We will be in touch with them more or less continuously between now and the time of the target date," Christopher told reporters after a one-hour meeting with Yasser Arafat at the PLO chief's headquarters in Jericho.

Christopher left Jericho for Jordan yesterday en route to Washington after a regional tour that he said had raised his hopes for comprehensive Middle East peace.

A Palestinian official close to Arafat said Christopher tried to persuade Arafat to hold the elections after only a partial Israeli pullout from Palestinian towns and cities.

The official said the Israelis were proposing a withdrawal

from Jenin, Tulkarm, Nablus, Kalkilya and the surrounding refugee camps. Villages near these towns would not be included in the initial pullback nor would major cities such as Ramallah, Bethlehem and Hebron.

In what appeared to be a gentle prod to Arafat, Christopher said the Palestinian self-rule government would benefit from elections.

"I think that if elections were held, it would be a big boost to the credibility of the area," Christopher said. "It would be much easier to get commitment from public donors as well as investment by private parties."

Arafat suggested after the Christopher meeting, however, that he would not accept holding elections while IDF soldiers remained in some towns.

Palestinian negotiator Saeb Erakat said the Palestinians would need only 22 days to organize the balloting. (AP)

IDF, Palestinians clash near capital

IDF soldiers wounded a leading PLO activist and arrested at least five other people while dispersing demonstrators just north of Jerusalem yesterday, Palestinians said.

They said IDF soldiers shot Jamal Diq, a leading member of Fatah, in the arm and beat him on the face with guns. The soldiers reportedly beat at least four other people. Among those arrested were Marwan Barghout and Ahmed Ghumain, both senior Fatah members. An IDF spokesman said he was checking the report.

Around 200 Palestinians marched towards an army roadblock to protest restrictions against Palestinians from the territories entering Israel. Soldiers at the roadblock called on the protesters to disperse. Israel Radio said soldiers were seen beating demonstrators before arresting them.

Meanwhile, IDF troops yesterday presented a six-month closure order to officials at a mosque in Hebron. A three-month closure order was presented to officials of a mosque near Nablus Friday after inflammatory material linking them to Hamas and Islamic Jihad was discovered, security sources said. (Reuters)



A border policeman subdues a Palestinian demonstrator during a protest in A-Ram north of Jerusalem yesterday. (Reuters)

NEWS IN BRIEF

Witnesses to Ramat Gan accident sought

Police are seeking witnesses to an accident yesterday morning at the corner of Ephraim Katir and Mendez streets in Ramat Gan in which four people, including a two-month-old baby, were seriously injured. (Itm)

J'im deputy mayor protests against PA
Some 45 quasi-governmental Palestinian institutions are active in eastern Jerusalem. Deputy Mayor Shmuel Meir (NRP) said yesterday, as he began a protest against Orient House and the Palestinian Authority's presence in the capital. He said 400 PA security officers collect protection money in the city. (Itm)

'PA reactivating Arab J'im council'

The Palestinian Authority has decided to activate the Arab Jerusalem Municipal Council so that it can function as it did before 1967, the *Al Quds* newspaper reported yesterday. The paper said such a council is permitted by the letter of guarantees the government issued covering existing Palestinian institutions in Jerusalem. (Jerusalem Post Staff)

Olmert boycotting queen's birthday fete

Jerusalem Mayor Ehud Olmert and senior municipality officials will boycott today's reception by British Consul-General Richard John Dalton to mark Queen Elizabeth II's birthday, to protest the holding of separate gatherings for Jews and Arabs, the municipality announced. (Itm)

Official Jordanian delegation arriving

Ahmed Zouabi, president of Jordan's Al-Ahram Party, heads a four-man official delegation arriving today for three days of meetings with government and local officials. (Jerusalem Post Staff)

New flight from Daghestan brings 70 olim

Seventy immigrants arrived yesterday on the inaugural Jewish Agency flight from Daghestan. The flight, which avoids the Chechnya war zone, is expected to be operated twice a month. (BatSheva Tsur)

Winning cards

In yesterday's Mifal Hapayis daily Chance card draw, the lucky cards were the ten of spades, jack of hearts, queen of diamonds, and ace of clubs.

With sorrow in our hearts, we regret to announce the passing of our beloved father and grandfather

JACK ROSENFELD

The funeral will take place this afternoon, Monday, June 12, 1995, starting at the Shamgar Funeral Home, approximately two hours after the arrival of El Al flight 008 (please check with the airport).

Sheila Zucker
Mrs. Alvin and Dorothy Rosenfeld
Karen G.R. Roekard
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A man of manifold deeds

and offer condolences to the bereaved family.

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Shas upset with Shetreet's marriage reforms

HERB KEINON

SHAS last night decided to sponsor its first no-confidence motion in the Rabin government because of Religious Affairs Minister Shimon Shetreet's reforms involving the black-list of halachically unmarried Jews, and his call for the state to pay them to go abroad and marry in civil ceremonies.

The party, rumored over the last few days to have been holding discussions with Labor over re-entering the government, announced saying the no-confidence motion comes under directives from Rabbi Ovadia Yosef, and after careful consultations with MKs Aryeh Deri and Shlomo Benizri.

"Rabbi Ovadia Yosef takes a very grave view of the recent steps decided upon by Shetreet, and has decided to put an end to his arrogance. Shetreet is damaging what is holy to the Jewish people, and is dealing with sacred issues that those greater than him dared not touch," the statement read.

Earlier in the day, the Religious Affairs Ministry released clarifications indicating that the country's rabbis, and not a newly-appointed registrar to be appointed by Shetreet, will have the final say as to who is to be included on the blacklist.

The ministry's clarifications said that a special rabbinic court will be set up to be the final halachic arbitrators on the matter, but that the registrar, who will have the status of a magistrate's court judge, will determine whether the inclusion on such a list was done according to accepted laws of evidence.

The list of some 4,150 people includes children born as the result of a woman's adultery (*mamzerim*), as well as adulterous women halachically forbidden from remarrying their husbands or marrying their lovers. Shetreet has said that a number of people were placed on the list on the basis of rumor and gossip, and that the registrar will require this to be proven in the future.

The country's rabbinic establishment and the religious parties fear Shetreet's moves are the first steps toward rescinding the rabbinic authority in matters of marriage and divorce.

A special committee set up by Shetreet to review the cases of those already on the list met for the first time yesterday. The committee, headed by former district court judge Ben-Zion Sharshevsky, began reviewing the list and will soon be sending out letters to those on it asking them if they want to appeal.



Soldier Batsheva Reuven and a group of Ethiopian children from Kiryat Gat point to an exhibit of the JDC-Israel's Shiluvim project, designed to raise the achievements of Ethiopian schoolchildren while fostering social integration. The exhibit is part of two-day conference on educational initiatives for Ethiopian immigrants sponsored by the Education Ministry, JDC-Israel and the Kiryat Gat Municipality. (Roni Na'aman)

Tel Aviv Conservative synagogue receives threatening letter

HAIM SHAPIRO

A CONSERVATIVE congregation in Tel Aviv yesterday received a threatening letter from a body calling itself "the headquarters for dealing with anti-Jewish activities," apparently in connection with its upcoming seminar on "The Other in Jewish Tradition."

Rabbi Ehud Bandel, spokesman for the Masorti (Conservative) Movement, said that the letter, to the Sinai Congregation, came yesterday by mail, bearing the symbol of the outlawed Kach movement. He said the letter was

apparently in reaction to the seminar, which is to take place this coming Thursday at Tsavta in Tel Aviv.

"We hereby warn you to stop your anti-Jewish activity, even if in your eyes activities disguised as those of a 'synagogue' or a 'Masorti study center' are not anti-Jewish," the letter said.

It added that the threat should not be taken lightly and that if the synagogue did not stop its activities, the letter writers would act very harshly.

In a postscript, the writers said that the addresses and telephone numbers of all of the congregation's leaders and students are known to them.

Bandel said that this was not the first such threat and that the movement has lodged a complaint with the police.

"We call on the police to act aggressively against this fanatic group, the identity of whose members is known," he said.

Court demands math matric explanation from ministry

EVELYN GORDON

THE High Court of Justice yesterday gave the state three days to explain why pupils at a Ramle high school should not be exempt from taking the math matriculation exam (*bogrut*), just as other 12th-graders are.

The first section of the exam is scheduled next week.

Under an experimental program started by the Education Ministry this year, 12th-graders were to be exempted from matriculation exams in two subjects, to be chosen by lottery. In January, however, the ministry informed Yigal Alon High School that, because its students had a record of cheating in past matriculation exams, this year's 12th-graders would not be exempted. Later, the ministry said it would exempt the students from the citizenship exam, but not from math.

The school's parents committee then petitioned the High Court, charging that their children were being punished for the sins of last year's class, and discriminated against with respect to other 12th-graders.

At yesterday's hearing, Justices Gavriel Bach, Eliezer Goldberg, and Ya'akov Kedmi initially seemed sympathetic to the state's position. If the school is not even capable of preventing cheating on nation-wide finals, they said, it stands to reason that the grades it issues cannot be relied on.

However, the petitioners' attorney, Dr. Haim Misgav, pointed out that preventing cheating on the matriculation exams is the job of a company hired by the Education Ministry. The school, he said, is not involved at all.

The justices agreed that in this case, it was hard to justify saying the teachers could not be trusted to issue fair grades.

Bar-Ilan U. signs first study accord with Jordan

BAR-ILAN University last night reached agreement with the Royal Scientific Society, one of Jordan's leading research institutions, for cooperation in the fields of agriculture, ecology, and medicine.

The agreement, said to be the first between an Israeli university and a Jordanian institution, was signed by Bar-Ilan President Shlomo Eckstein and Royal Society President Dr. Hani Mulki.

The two institutions said their cooperation would focus on short-term projects in applied research. Over the next 10 days the two institutions will exchange lists of proposed projects.

As part of its 40th anniversary celebration, Bar-Ilan brought 170 of its supporters to Jordan.

Steve Rodan

High Court bars work on illegal roads

EVELYN GORDON

THE High Court of Justice yesterday issued an interim injunction forbidding the village of Beit Jann from continuing work on the two roads it began paving illegally Friday night.

It also issued a show-cause order, giving the police 30 days to explain why they should not prevent the paving of the roads, which run through Israel's largest nature preserve, Mount Meron.

However, the police said they are meanwhile doing nothing to prevent cars from using the roads — one of which has been opened, though not paved, from end to end.

The orders were issued in response to a petition by the Society for the Protection of Nature in Israel (SPNI). Attorney Renato Jarach, representing SPNI, charged the police with unconscionable delay in stopping the illegal construction. Though notified of what was happening at about 10 p.m. Friday, construction stopped only 17 hours later, at 3 p.m. Saturday.

"By then, much of the damage had already been done," he said.

The failure to take quick action, Jarach said, encourages other villages to do the same — because illegal building is worthwhile if you know you can get a significant amount done before the police intervene.

Attorney Osnat Mandel, representing the state, argued in response that the police had acted exactly as they should. In 1987,

when the police tried to stop an earlier attempt by Beit Jann to illegally build these roads, a violent confrontation erupted, with people on both sides injured, she said. To prevent a similar confrontation, the police estimated that some 2,000 policemen would be needed, since dozens of residents were on the scene, and the police had reason to believe some were armed.

However, a force of this size could not be mustered at night, Mandel said, so negotiations were begun. By the time the force was ready — at about noon on Saturday — the talks seemed to be making progress, so the police decided to give them a little more time. At about 1:30 p.m., the mayor of Beit Jann did agree to stop the building, and by 3 p.m., it had stopped, she said.

Mandel added that the incident was being investigated, and that indictments would be served.

When attorney Dror Hoter-Yishai, representing Beit Jann, presented his case, however, he succeeded in infuriating Justices Eliahu Mazza, Mishael Cheshin, and Zvi Tal.

Hoter-Yishai insisted that Beit Jann had done nothing illegal, because the land was not really part of the nature reserve. In any case, he said, the Nature Reserves Authority (NRA) had okayed the roads eight years ago; how long, he asked, does Beit

Jann have to wait?

Mazza retorted that it is precisely the question of whether the NRA's consent was proper that was the subject of a 1987 petition by the SPNI, which is still pending — and on which the court issued interim injunctions to prevent the NRA from making any final decision. These injunctions were not directed against Beit Jann, but the village certainly knew about them, he said. Thus, the proper move — which was suggested to the village by the local planning council — would have been for it to ask the High Court to resume hearings on the petition, which had been stopped to let the sides negotiate. The fact that Beit Jann instead decided to build illegally makes it guilty of contempt of court, Mazza said.

Hoter-Yishai then argued that the 1987 injunction did not apply, because it referred to a different route than that actually broken on Friday.

"So to ignore an interim injunction, it's enough to move [the route] a meter?" demanded Mazza.

Furthermore, Mazza noted, even if Beit Jann is right that the land belongs to it and not the NRA, it would still have to get permits from the planning authorities before it could pave the roads.

To settle the issue, however, the court ruled that the 1987 petition will be heard and ruled on at the same time as the current one.

Beit Jann: A village fenced in by nature

BACKGROUND
LIAT COLLINS

THE battle over Mount Meron dates back to when thousands of dunams of woodland were declared an international nature reserve 20 years ago, turning Beit Jann into the only settlement located within a preserved area. The whole nature reserve covers some 100,000 sq.m. It is home to rare flora and fauna.

The fight for the road has been going on for nearly a decade, with Beit Jann residents claiming they have been fenced in by the reserve. In 1986, there was a violent clash with police when Beit Jann residents they tried to pave a road between to Ein El-Assad.

In 1987, the High Court issued an interim injunction at the request of the Nature Reserves Authority preventing any road building. The physical struggle for the road was subsequently halted and the emphasis moved to legal discussions and attempts to reach a compromise.

In 1993, while negotiations were going on between the NRA and the Beit Jann council, resi-

construction council issued a ban on the continued paving, again at the request of the NRA.

The attorney-general refused the NRA's request to be a partner to yesterday's High Court petition, but the authority said it completely identified with the injunction demand.

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Bomb kills at least 21 in Medellin

A POWERFUL bomb sprayed shrapnel among partygoers at an outdoor music festival, killing at least 21 people and wounding more than 200 others, police said yesterday. One suspect was arrested.

The explosion in a downtown park Saturday night occurred one block away from a police barracks. The attack recalled the worst days of the northwestern city's drug terrorism, which dwindled with the killing of cartel kingpin Pablo Escobar in 1993.

Police arrested a suspect carrying five cans of gunpowder, but the motive for the attack was not immediately known. Police speculated the bomb was planted by leftist guerrillas, while others thought it could be revenge for recent moves against drug traffickers.

Police Col. Victor Manuel Paez said a 10-kilo bomb filled with shrapnel was placed

beneath a bird sculpture by internationally renowned artist Fernando Botero in Medellin's San Antonio park.

It exploded as a festival of music from Colombia's coastal area was ending. Up to 5,000 people had attended the festival, organizer Ramiro Carvajalino told local radio, but the audience had dwindled to about 1,500 by the time the bomb went off.

"We don't understand why something like this happened at a festival of happiness and peace," he said.

Police Gen. Alfredo Salgado said there were 21 deaths, but the Red Cross and city officials earlier said 30 people died. There was no immediate explanation for the discrepancy.

Red Cross officials treated the injured and ambulances rushed victims to nearby hospitals.

Carvajalino said many victims had died on the way to the hospital or on the operating table. Several children were among the dead.

Police speculated the bomb was planted by leftist guerrillas, who have been fighting the state for decades. In recent weeks, rebels have been stepping up attacks, possibly in an attempt to pressure the government for concessions in peace negotiations.

The attack came one day after police arrested Gilberto Rodriguez Orejuela, who with his brother Miguel leads the Cali drug cartel, which supplies 80 percent of the world's cocaine.



Children look in awe at a human skull covered with a blue UN helmet, mounted on a Bosnian Serb army jeep in the stronghold of Pale yesterday. (AP)

WORLD BRIEFS

Bomb explodes in Sri Lanka
COLOMBO, Sri Lanka (AP) - A small bomb went off yesterday creating panic along Colombo's fashionable sea front road where most of the city's best hotels are located.

It was the fourth explosion in Colombo in a week. Two people were injured when a bomb exploded inside a bar and four others in an explosion inside a bus. The detonator of a bomb planted at the airport exploded but failed to ignite the bomb.

Police did not immediately blame the Tamil rebels for yesterday's explosion. The rebels have struck in Colombo many times, killing top political leaders, including President Ranasinghe Premadasa in 1993.

Austria on alert for letter-bombs
VIENNA (Reuters) - Austrian police put the nation on alert yesterday for more right-wing extremist letter bombs after a series of attacks and urged utmost caution in handling mail today.

Three women in Austria and Germany were injured on Friday when letter bombs sent by far-right extremists exploded in the Austrian city of Linz and in Munich.

An Austrian extremist group called the "Bavarian Liberation Army" claimed responsibility for the attacks, which injured two Hungarian-born women in Austria and a German woman. The bombs were the latest in a series of 14 attacks that have plagued Austria over the past 18 months.

'Zirconium shipment legal'
NICOSIA (Reuters) - A senior Cypriot customs official said yesterday that a huge haul of a metal used in nuclear reactors found in Cyprus was shipped legally from Russia.

Customs officers found 35 tons of zirconium at a warehouse in the port of Limassol on Saturday. It was the second such find on the Mediterranean island in three days.

The first was part of a sting operation by US authorities, helped by the Cypriots, which netted five tons in NY and two in Larnaca.

Buthelezi calls for protest
JOHANNESBURG (Reuters) - Zulu Chief Mangosuthu Buthelezi told his followers yesterday to launch a non-violent protest campaign against the South African government led by his arch-rival President Nelson Mandela.

"Let us show South Africa what true peaceful resistance entails and what massive mass resistance on a scale unprecedented in this country, can achieve in defense of freedom, pluralism and democracy," Buthelezi told supporters at a rally in his KwaZulu-Natal powerbase.

Dudayev: Russia to 'burn in hell'
MOSCOW (Reuters) - Rebel Chechen leader Dzhokhar Dudayev, speaking six months to the day after Moscow sent troops and armor into his separatist region, said yesterday that Russia would "burn in hell" for the bloody campaign.

Pope recalls victims of WWII

VATICAN CITY (AP) - Pope John Paul II marked the 50th anniversary of the end of World War II by celebrating a Mass with victims who were put in concentration camps and reciting prayers for Jews, Japanese and other victims.

Celebrating the Mass were two Polish bishops deported to Dachau by the Nazis, a German priest from Munster imprisoned in the same concentration camp, a French bishop from Vannes held prisoner in Germany and an Italian military chaplain held in Germany and Yugoslavia.

Also joining the pope were the present-day bishops of Hiroshima and Nagasaki, the two Japanese cities targeted by American atom bombs in August 1945.

Prayers were said for "the Jewish people, whose sons and daughters were destined for total extermination" and the Japanese "who at Hiroshima and Nagasaki witnessed in disturbing measure the horror and suffering produced by war."

The pope stressed the need for the world to fully respect human rights, starting with the right to life, from the "first moment of existence in the mother's womb to natural decline."

Top commanders plot joint Croat and Moslem strategy

SARAJEVO (AP) - Frustrated by the failure of international efforts to end Bosnia's war, the Bosnian government and allied Croat militias have met to plot military strategy.

The meeting between top government and Croat military commanders Saturday in the central Bosnian town of Travnik indicated new offensives were being planned.

It came as UN officials virtually ruled out force to feed civilians or enforce a weapons ban around Sarajevo while Serbs continue to hold 146 UN peacekeepers.

The peacekeepers were among more than 350 taken hostage after NATO airstrikes on

Serb ammunition depots May 25 and 26. The others have been released.

Fighting was reported yesterday around the eastern enclave of Gorazde, in the northwestern Bihac pocket and in the northeast around a key Serb supply corridor.

In the northeast, the Bosnian Serb news agency SRNA reported that Croat forces were shelling Serb positions from an isolated pocket north of the Serb supply corridor. It claimed two civilians were killed in the town of Samac.

The Bosnian Croat news agency HABENA said Serbs were shelling Croat positions, but claimed that "so far several hun-

British, French, Portuguese youths sow weekend terror on city streets

BRADFORD, England (AP) - Youths in Britain, France and Portugal sowed terror over the weekend in a series of violent acts spawned by ethnic tensions.

The incidents - two nights of rioting in England, an attack by skinheads in Lisbon, and the burning of cars near Grenoble - injured 16 people and fueled fears of an upsurge of unrest this summer.

In the northern England city of Bradford, some 300 youths from a predominantly Indian and Pakistani immigrant neighborhood hurled firebombs and bricks at police Saturday night and looted shops and set fire to cars. The trouble began Friday night after two youths were arrested by police.

Three police officers and one youth needed hospital treatment and 15 people were arrested in the two nights of disturbances.

Community leaders blamed police for Saturday's rioting. Police spokesmen described youths who felt alienated from both their parents' culture and Britain as a "powder keg."

In central Lisbon, a group of 50 skinheads with iron knuckles attacked every black they could find early yesterday, injuring 12 young blacks, a police

commissioner told TSF Radio. A 27-year-old man was reported to be in a coma.

Seven men and two women in the group of skinheads were arrested.

Racist incidents in Portugal have become more frequent with worsening economic and employment conditions. Blacks account for roughly 10 percent of Lisbon's population, most tracing roots to Portugal's former African colonies.

In France, arsonists burned 11 cars early Saturday in a suburb of Grenoble in southeast France. Police said the attack may be linked to the sentencing Friday of three neighborhood youths for assault and theft.

The attacks in the suburb of Arlequin fueled fears of an upsurge of unrest in the low-income, heavily immigrant suburbs ringing major French cities. Many disturbances in these areas have been sparked by incidents of real or perceived racial discrimination.

On Friday, masked youths went on the rampage in the Paris suburb of Noisy-Le-Grand, setting fire to three schools and a gymnasium, burning cars and smashing windows. Police detained five men for questioning Saturday.

Iraqi Kurds present peace proposals
ANKARA (AP) - Two Iraqi Kurdish groups, which have battled for control in northern Iraq for more than a year, presented draft plans yesterday to end their dispute. The proposals issued separately by the Kurdistan Democratic Party and the Patriotic Union of Kurdistan carried similar conditions. Both groups called for a permanent ceasefire, the demilitarization of their de-facto capital city Irbil, reopening of the Kurdish Parliament and the formation of a regional government.

Meanwhile, 35 Kurdish rebels and five Turkish soldiers were killed in six separate clashes in southeastern Turkey, the regional governor's office said yesterday. They increased the rebel death toll to 176 since the beginning of June. Turkish Interior Minister Nihat Metase said.



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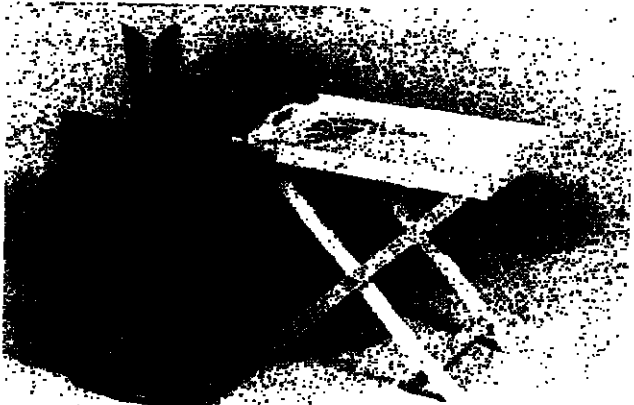
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הוצאה לאור

This 'Scar' leaves lasting impression

ALLISON KAPLAN SOMMER

At the Cannes Film Festival last month, director Haim Bouzaglou gave some nice French Jewish ladies a jolt.

The local chapter of the Women's International Zionist Organization had requested screenings of all the new Israeli films being shown at the festival. Bouzaglou obliged them with a showing of his latest film, *Scar*.

"They were a little shocked after they saw it," said the bearded, shaggy-haired director over a cup of coffee at the Tel Aviv Cinematheque, laughing at the recollection.

It's not surprising that *Scar* took the WIZO women aback. The entire film contains barely one word of Hebrew, and none of the action is set in Israel.

So, begs the obvious question, what language was the film in? And exactly where did it take place? Both are good questions. And both are impossible to answer.

"There were three conceptions of drama that I broke in this movie," Bouzaglou said. "The idea of language, the idea of location and the idea of time. The world is the location, all the languages are the language."

In other words, scenes from the three cities in which the movie was filmed are scattered throughout the film. Characters leave a Paris shop, descend into a Tel Aviv garage and emerge onto a New York street. If that's not confusing enough, more than 12 languages are spoken in *Scar*, and none of them consecutively. In every scene, one character speaks in one language, another character in another.

The story is only a bit less confusing. The film tells of a woman and a man. He spots her in a shop and is captivated by her, despite the fact that her face is obscured. He follows her, seeing only her back. They continue, sitting back to back in a cafe.

This faceless pursuit, well, climaxes in a sexual encounter against the fence in an underground garage, after which they part. The rest of the film is about their search for each other, and their longing for the unseen face. The only physical characteristic the man can recall is a scar on her leg; hence the film's title.

"It's a movie about this fantasy that we have in our heads in front of the reality which generally destroys all fantasy," Bouzaglou said. The Jerusalem-born director wrote the first draft of *Scar* 12 years ago when he was an as-

piring screenwriter in Paris, where he went to live after finishing his compulsory army service. The film came close to being made at the time.

After more than a decade in Paris, Bouzaglou returned here, where he studied literature and theater and directed his first two successful films. His highly praised 1989 satire, *A Fictitious Marriage*, the story of an Israeli Jew who went "undercover" as a Palestinian, swept local awards. His second film, *A Time for Cherries*, dealt with the Lebanon war.

Together with actress Ronit Alkabetz, the star of the movie, with whom he then lived, Bouzaglou started to rework *Scar*. This time, he was able to find a French coproducer, and they put together enough funding for the \$1.2 million project.

The film was shot in four weeks at the end of last year: two days in New York, two in Paris and the rest in Tel Aviv. Aside from two French actors, the cast was Israeli. Language barriers didn't bother Bouzaglou. Several of his Israeli actors were multilingual, and two of the lead actors, Alkabetz and Sasson Gabai, learned their parts phonetically in French and Italian with the help of a dialogue coach.

One of the most surreal devices in the film is a broken-down bordello-like house (in reality, the old Jaffa railway station), where much of the action takes place. People enter and choose among those loitering on the porch who will be their mother, father or family for the night or for a few hours. They spend time with them, pay them and leave.

"In our era, there are a lot of people who are homeless without knowing it. They can have a very nice apartment, very nice car, plenty of money, but they don't have substance in their life. And I thought it would be a marvelous idea to build a house like in a bordello where you can buy minutes of real life. A son can have a fictitious father, a man can have a fictitious child to read a story to, a woman that never had a child can borrow a child to breast-feed. I think that I know a lot of people in Tel Aviv that, if there was such a place, would be clients."

Bouzaglou lives alone, but he doesn't seem jaded, resigned or depressed about it. He is too happily immersed in his work for that. He is currently working on two projects: One is a Hebrew film about the false messiah Shabtai Zvi; the other is a French project in which he hopes actress Isabelle Huppert will star.



The notions of language, location and time are all broken down in the surreal 'Scar,' directed by Haim Bouzaglou.

McFun with McFerrin, even at classical events

PENNY STARR

Don't Worry, Be Happy is the toe-tapping song for which Bobby McFerrin is best known. That's a pity, because there's so much more to him.

The classically trained McFerrin is an accomplished conductor and composer, as audiences here will discover when he performs two concerts with the Israel Philharmonic Orchestra on June 17 and 18, sponsored by Parliament Arts.

But it's that catchy little tune that everyone recognizes, and it gets on his nerves sometimes. "It's a bit limiting, isn't it? On their part, not mine," he says in a telephone interview.

McFerrin, 45, is the winner of 10 Grammy awards for albums that range from jazz combos to solo voice to a cappella ensembles.

His collaboration with famed classical cellist Yo-Yo Ma was both a popular success (on *Bill-*

boards' Classical Crossover Chart for more than two years) and a learning experience for both men.

Ma has described having to improvise, trusting oneself and not relying on sheet music, as "very liberating." McFerrin says working with Ma "taught me about phrasing and discipline."

McFerrin's career as an unaccompanied performer began in 1983.

But, he says, "It was really hard work doing 90 minutes to two hours on stage by yourself. I got tired of being alone. This way I get to share music with people."

He took up the challenge of performing classical music - sticking to another composer's instructions rather than free-wheeling through his own pieces - when, for his 40th birthday, he led the San Francisco Symphony. Since then he has conducted

some 40 other orchestras and is now conductor and "creative chair" for the St. Paul Chamber Orchestra.

"It's so much fun. I have a wonderful time. Other musicians are fun to play with," he says. Orchestras seem to have just as much fun with McFerrin. The maestro sometimes makes them take audience requests, remove their stuffy tuxedo jackets and even gets them to sing rather than play their parts.

Audiences share in the fun. During his classical concerts McFerrin has been known to turn spectators into performers, getting audiences to sing along and join in with various noises.

He enjoys bringing classical music to people of all ages. All he asks of audiences is that they "relax and listen up. I'm loose, and people get a sense of that."

"Music is just fun," he adds. "There's no secret, no formula. I have a good time with music."

Violinist solos in her family

MICHAEL AJZENSTADT

CATHERINE Cho's career choice made her the self-described "black sheep" of her family.

It's not that they disapprove of her work as a globe-trotting concert violinist. It's just that Cho, 24, is the only musician in the family.

"I have two younger brothers. One is in medicine like my father and the other studies engineering," she said.

The New York-based soloist is making her local debut this week with the Haifa Symphony Orchestra, playing Dvorak's violin concerto.

Unlike many young musicians, Cho was never pushed by her parents into this path. "I come from a very strange family in this respect. My parents were always trying to get me out of my practice room. They wanted me to get out and relax."

Cho opted for the violin because her best friend was taking violin lessons.

"I was four-and-a-half, and I think you know what you like and what you don't like at that age. My parents supported that, but they want me to eat, read books and exercise. They want to make sure I won't stay too narrow in my life-style, which is very easy to do."

She tries hard to follow her parents' wishes. "I did go swimming today. I finished a book and I had a meal," she said. "And yes, it does help keep the sanity,

because actually I spend many hours with the violin. Even when I don't play, mentally it's still there."

The traveling takes its toll as well. Before this interview, Cho had been in transit for nearly 24 hours from Montreal, where she was on the jury of the Montreal International Violin Competition - a contest in which she took first prize in 1987.

This year she and her colleagues on the jury declined to award a first prize. Second place went to Dmitry Maikhtine, 19, from Russia.

"We had a very talented group of finalists, but no one stood out in the final round of the performance; no one possessed the qualities that justify a first prize," she said.

CHO IS pleased to be making her local debut with the Dvorak violin concerto.

"I love playing Tchaikovsky, Sibelius and Brahms, but this one is very special and it should be played more often. When I play it, I always feel I'm close to nature; I see green and blue and lots of colors. It makes me feel very open inside; it allows me to sing a lot."

Cho thinks she will eventually have a family of her own.

"I hope so. I love kids, but I have to find the right husband first, somebody who'll want to

put up with all my complications."

For the time being, the violin is her true love. She feels very close to the instrument she plays, a 1728 Stradivarius.

"Juilliard [the New York music school] has loaned it to me, and it'll be mine for another year or so," she said. "I'm still looking for something else, but these little pieces of wood are not cheap."

Although still rather young, Cho is already teaching, too, helping her own teacher Dorothy Delay at Juilliard.

"Everything was quite accelerated during my whole life. And I'm hoping I had enough education and experience to do that well. After all, you learn as you go along; you use your ears and brains. I started teaching this year and was afraid a little bit, but your instincts and past education give you the background you need."

Cho's dream is to help young musicians in need. "There are a lot of people who can't do what they want to do because of lack of opportunity and support. I want to make sure there are fewer people in that position of need, through a fund, a festival or a school, so that kids can get educated in music if they want to."

Cho will perform with the Haifa Symphony Orchestra under the baton of Cristian Mandeal tonight and Wednesday in Haifa, and Thursday in Kfar Sava.

Sharon Stone re-plays sexpot with a vengeance, Western-style

THE QUICK AND THE DEAD

Directed by Sam Raimi. Screenplay by Simon Moore. Hebrew title: *Hamehira vehametim*. 107 minutes. Parental guidance very strongly advised. English dialogue, Hebrew subtitles.

Elton... Sharon Stone... Gene Hackman... The Kid... Leonard DiCaprio... Russell Crowe... The advance publicity for *The Quick and the Dead* already sounded fishy. Sharon Stone was to star in Sam Raimi's darkly stylish Western. She would portray an unkempt girl-outlaw with an old score to settle and she'd make a giant personal sacrifice to play the part; she would forfeit her sex appeal.

Now, asking Sharon Stone to

forfeit her sex appeal is almost as useful as demanding of Jack Nicholson that he quit smirking once and for all, or telling Geena Davis to get short for her next role. It won't work. Still more absurd is the fact that Stone's "sacrifice" entailed donning tight leather pants, cool black cowboy boots, a low-cut cotton chemise and an ivory-handled six-shooter.

Who does the superstar think she's kidding? In *The Quick and the Dead*, Sharon Stone looks about as asexual as Calvin Klein model and, what's more, she seems to know exactly how hot she appears in her gunslinger get-up. Never mind what she says in interviews, this is probably the actress's most vain and mannered performance to date.

True, it's not exactly acting that she's engaged in here, so much as posing. She struts across

the screen with such gross self-satisfaction, the whole movie takes shape as a commercial for her bad attitude.

And Raimi's slick visual direction only adds to the sense that Stone's horse has wandered way off-course. His Old West feels closer to Madison Avenue than to the OK Corral. Gold bullets whiz and amber liquids spill in the lush slow-motion of a light beer ad; the contestants in a shoot-to-kill gunfight are filmed by a camera that rushes toward them at frantic, Big Mac-attack speeds.

Striking as some of these images are, they also feel fleeting and disjointed. The director seems to think in terms of one-minute television spots. When a man is shot dead, for example, we glimpse a view of the faraway plains through a decorative hole in his head. It's an image as disturbing and surreal

FILM REVIEW

ADINA HOFFMAN

as anything Sam Peckinpah ever conceived, but it's also far from the sustained, hallucinatory context of a movie like *The Wild Bunch*. We don't know who the man is, and frankly we don't care. His death is just an excuse for another neat camera trick.

This film, incidentally, is Raimi's first big studio release. He has a cult following as the director of low-tech horror movies like *The Evil Dead I and II* and *Army of Darkness*. Alas, his work on *The Quick and the Dead* lends further evidence to support the theory that budget size is often the only thing that distinguishes alternative innovation from commercial pap. Give an "independent" like Raimi

\$30 million, and he'll adjust his vision accordingly.

At the start of the movie, Ellen - or The Lady, as she's known - rides into the town of Redemption with a chip on her shoulder and a head full of murky memories, conveyed to us in silvery MTV scraps. The exact nature of her complaint is not yet clear. We only know that it concerns Redemption's evil mayor, who just happens to be named Herod (Gene Hackman), and whom Ellen would very much like to kill.

But please do not misunderstand! Ellen is not a vicious bully like the heartless male outlaws who surround her. Under her dirty hide jacket and wide-brimmed suede hat she is soft and feminine and wouldn't hurt a fly... unless that fly had done something awful to her in her childhood, in which case, she feels

totally justified in entering the town's annual quick-draw contest and trying her hardest to blow her tormentor away.

If this outline sounds vaguely familiar, it's because Stone has already covered this vengeful ground once before. In *The Specialist* she played another hard, beautiful woman who had another score to settle with another despotic bad guy who had done something (the same thing) terrible to her in another childhood. She didn't challenge Rod Steiger to a gun duel the way she does Gene Hackman, though she did

try to detonate him and his entire extended family.

It's probably possible to draw an ominous feminist message from this weird repetition of plots: Stone's women can only be strong if they were damaged in youth and are forced as adults to fight back, or something.

The sad fact, however, is that Simon Moore's script seems less a product of conscious creative or political decisions than it does a functional tailor's dummy from which to hang Raimi's glib camera work and Stone's air-brushed image.

He's desperately seeking stillness on the local stage

MICHAEL AJZENSTADT

SOMETIMES, while working here, Polish director Krystian Lupa craves a little quiet on the set.

"Israeli actors perform with a tremendously intense temperament," says Lupa, here to direct his own adaptation of *The Lime Works*. The Beersheba Municipal Theater production stars Doron Tavori and Sarah von Schwarze.

"I miss a little bit of stillness on stage. There are almost no frozen moments in the Israeli theater as far as I can judge," he says.

"The Lime Works" was premiered three years ago by Po-

land's Stari Theater, where Lupa is one of the house directors. It is an adaptation of a Thomas Bernhard novel, *Kalkwerk*, written in the early '60s.

Lupa is totally immersed in it. He manages brilliantly, as he talks through a translator, to shift every one of his answers directly to the play.

"The adaptation was a most exciting experience," the 51-year-old director says. "It is the first Bernhard novel I ever read and it excited me personally."

"The author was still alive at the time, and I approached him and asked his permission to adapt

it for the theater. But he was a tough man to deal with and he refused. He actually said that this was his favorite novel, too, and that he wanted to make a play out of it."

"After his death I began negotiating with his heirs. It was tough because no one has done any Bernhard adaptation before, as he never agreed. At the end, though, I did convince them."

"The Lime Works" is about an "artist in a complex world which suffers from a spiritual crisis."

The protagonist is "a hero who

is almost pathological. He speaks a sort of gibberish in which he can actually say what he believes in. I believe this is the overall situation of the modern human being in our age," says Lupa.

The main character, then, is an artist who hates art, a pianist who plays the piano yet at the same time hates it.

"In this way he is very similar to Bernhard himself, who hated authors yet still continued to write novels and plays. But what he really hated was art that became food for the beautiful European bourgeois and conformists. For him a work of art was

something more insane, something sacred in nature," explains Lupa.

Lupa's theatrical adaptation is very cinematic. "In more than one way, cinema and cinematic narrative have always been my inspiration. And you must realize that the theater today all over the world is in a state of crisis and I believe only cinema, or cinematic thinking, can help it survive this crisis."

"I do not want to negate the theatricality in the theater, but I strongly believe in cinematic narrative and its power to breathe fresh air into theater."

Margalit Oved shocks the Inbal Dance Company back to life

IN her first large production, Margalit Oved applied shock treatment to revive the Inbal Dance Theater. And it worked.

On June 1 at the Suzanne Dellal Center in Tel Aviv's Neveh Tzedek quarter, she shook the company to the roots in her work, *Zaffa*. The roots were there, and more. Here was a succession of scenes with a grip on life today, and not only the past.

It resounded with echoes from all directions proclaiming: We are here.

One of the marvels was how the company adapted to the new and vibrant. The prologue was a scene of rowdy youth, alive and real. It was followed by a world story, starting with Adam and Eve. There was a luminous apple aloft, with a strand that could have been the serpent. Two people explored and found each other.

The sex implication was not shirked but was innocent and they were utterly human.

Oved, with drum, word and song, provided the background in most scenes.

There were hints of Asia, India and the Middle East. A crane emerged from behind a huge tree whose trunk and branches seemed created from human shape.

Oved herself, in characteristic Yemenite trousered costume, told of her life, her

local flexibility more astonishing than ever.

And it all ended as it began, with the hearty energy of the young.

Some reservations: The breaks between the scenes are too long and allow some of the excitement to evaporate. Oved's own story is too long, despite its charm.

Yet, in all, this is a brilliant creation. Dora Sowden

SEE IT IN HEBREW
HEAR IT IN ENGLISH!

BOYTRE

JUNE 20 at 8:30 p.m.

A new play by Hillel Mittelpunkt (Gorodish): The revolt of a Jewish Robin Hood against the corrupt rich of his community.

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Critics on the Left

BITTER attacks on the government may be inevitable when major decisions loom. But the current opposition to the way the negotiations with Syria are being conducted should give the government pause; for the attacks come not only from opposition politicians for whom "land for peace" is anathema and toppling the government a sacred goal. Joining the critics are lifelong rank-and-file Labor activists, as well as Prime Minister Yitzhak Rabin's traditional supporters in the Knesset and even some dovish academics.

Much of the energy of this opposition is channeled into The Third Way movement, whose leadership consists of many of Rabin's friends and former army colleagues. Like the Golan Laborites who founded the movement when it became apparent that the government was ready to relinquish the Golan, they consider Rabin's policies nothing short of suicidal. If opinion polls are to be trusted, the movement would get the support of at least five percent of the population in a Knesset election - most of it at Labor's expense.

What may be even more significant is that three Labor MKs were present in yesterday's meeting of the movement's leadership, which called for an immediate referendum on the Golan, or the immediate dissolution of the Knesset and a new election. One of these Labor MKs, Avigdor Kahalani, a war hero who commanded the armored unit which stopped the Syrians in the battle for the Golan in 1973, has already pledged to vote against the government on this issue.

His opportunity will come later this week, when three bills introduced in the Knesset will mandate a special majority of 70 MKs to effect a change in the Golan's status. Since the Golan (unlike the Sinai) is Israeli territory by law, such a requirement is eminently reasonable. No country forfeits part of its sovereign land by a simple majority in its house of representatives.

Chances are the government can win this Knesset test, despite Kahalani's defection. His two Third Way colleagues, Emanuel Zissman and Ya'acov Sheffi, seem to lack his political courage. Aware that if they vote against the government their career in the Labor Party would end, they have not yet committed themselves to voting for one of these bills.

But the government can only win this test with the votes of the Arab parties - which is precisely why a special majority on the Golan question is imperative. It is unthinkable that a matter so vital to the country's security should be decided by parties guided by the PLO.

Perhaps even more meaningful than the opposition of politicians is the warning voiced by one of the leading Arabists in Israel's academe. Professor Haim Shakked, former head of the Shiloah Institute for Middle East Studies who

now divides his time between Tel Aviv University and Miami University, was one of the first enthusiastic supporters of the peace treaties with Egypt and Jordan. Now he is concerned about what he terms the government's "running amok" to conclude an agreement with Syria.

In an interview published Friday, he states, "It is impossible to ignore the connection between our election timetable and the timetable of the negotiations with Syria... It has become a situation in which President Assad is dictating terms. I believe this is no way to conduct negotiations on an historic conflict that is not yet over."

Referring to one of the worst disasters in the country's history, which resulted from a fashionable, uncontested view of regional reality, he states, "I fear that a 'concept' has been created, similar to that which led to the Yom Kippur War. Then we clung to the notion that we were so strong that war was impossible... Today's new concept is that there is an opportunity for peace which mustn't be missed, and that it must be used in a great rush."

As an expert on the region for over 30 years, Shakked speaks with authority when he says, "The Middle East is a region in which things change and reverse themselves... Assad may suddenly act differently from the way he has acted all these years... [And even if he doesn't] no one knows who will replace him... The reason the Golan is a calm border is that we are 60 km from Damascus. Without our guns at his head, the Golan would not have been quiet so long..."

Shakked also maintains that Assad has not undergone a transformation the way Anwar Sadat did. And what seems to upset him most is Israel's readiness to let Syria guarantee the northern border by promising to control Hizbullah. "We have always maintained a fundamental principle: we must not make our national security dependent on anyone's guarantees. Not American guarantees, and certainly not Syrian guarantees."

Shakked's anxiety cannot be taken lightly. Indeed, even some ministers, particularly Health Minister Ephraim Sneh and Minister of Religious Affairs Shimon Shetreet, are voicing doubts - if not about the current "concept," then about Foreign Minister Shimon Peres's willingness to "give away everything" before the negotiations have actually begun.

Perhaps it was in response to these concerns that Rabin assured the cabinet yesterday that there was no connection between the elections next year and his wish to sign a treaty with the Syrians. But his assurances would be more convincing if he supported the bills which would ensure that only the approval of a decisive majority of the electorate would make withdrawal from the Golan possible.



Stop: Violence ahead

YOHANAN RAMATI

THE danger of violence in Israel and the Diaspora is growing. Politicians could be assassinated. Israel's government may send the army to evacuate Jews from their homes. Both sides may shoot to kill. And those involved won't be fringe elements.

There are limits to democracy, set by what large numbers of people can no longer bear. The government is riding roughshod over public sentiment. It is allying itself with the self-declared enemies of Jewish nationalism to push through a policy of territorial concessions and de-Zionization, using the media to explain Arab nationalism. Slowly and inevitably, a situation is being created in which Israel will be unable to defend itself, or will lack the will to do so.

In other democratic countries, it would be considered treason to give away part of the nation's territorial heritage. I wouldn't like to be in the shoes of Americans conspiring to return Texas and Southern California to Mexico, a country somewhat more friendly to the US than Syria or the PLO are to Israel.

It may be vehemently denied, for a variety of reasons - but nearly half of Israel's Jewish population consciously or subconsciously regards Yitzhak Rabin, Shimon Peres, Yossi Beilin, Yossi Sarid, and Shulamit Aloni as traitors.

And therein lie the seeds of violence, which no amount of legalistic talk about a democratic mandate based on Arab votes can destroy.

I AM probably far more worried about this situation than is Aloni. I

know that it means the end of this country as an independent Jewish state, and far sooner than even the pessimists among us fear.

The only result can be a war with the Arabs, civil war, or the end of democracy. And that danger comes from the left, not the right.

The government has deceived the nation about its intentions. It has made dangerous concessions to dangerous enemies, and is de-

The danger to democracy is from the left, not the right

monstrably incapable of standing up to Arab or other foreign pressures.

It is trying to indoctrinate children and soldiers politically, on the pretext of teaching them "peace," and its supporters smear anyone who is right of center as a potential fascist, or worse.

Television news broadcasts are systematically slanted leftwards, and right-wing editors, reporters and commentators are rarer than rain in May. The Hebrew press is owned and edited almost exclusively by government apologists.

To all this, violent reaction is well-nigh inevitable.

And as long as the government's position is that it has a mandate to make any concession it wants to the PLO or Syria until November

1996, with the help of five PLO-controlled Arab votes in the Knesset, and that it will go on making concessions, even in Jerusalem, regardless of Jewish public opinion, Jewish violence will increase.

There is no way the hatred accumulating against the government and its members can be bottled up while this attitude is maintained. Police action and legal retribution can only fuel it.

This time too much is at stake. That is why we are seeing car stickers whose like we've never seen before: "Israel despises Rabin" or "Rabin has gone mad"; why Rabin was loudly booed by thousands of football fans when he decided to attend the game between Israel and Brazil; and why Aloni got the reception she did from Jews in New York.

Rabin and Aloni can blame fringe elements for any violence that occurs. And right-wing politicians may politely agree.

But these aren't fringe elements. These are good Zionist Jews, some of whom voted Labor in the last election. They believe that the government is leading the state to perdition. Their motivation isn't fascism, but despair.

There is only one remedy. The government must stop ignoring Jewish public opinion. It must stop blindly implementing policies that infuriate most Israeli Jews, and many Jews in the Diaspora.

President Weizman advised the government to stop and think. The time to stop is now, before it's too late.

The writer is chairman of the Jerusalem Institute for Western Defense.

Total travesty

CHARLES KRAUTHAMMER

WHEN you agree to leave your vital organs for transplantation after death, you do so with the expectation that the doctor will wait for you to die before removing them. In the transplant field, this is blandly called the "dead donor" rule.

That rule has been, till now, sacrosanct. The American Medical Association's Council on Ethical and Judicial Affairs wants to change that.

Three years ago in Florida, the parents of an anencephalic newborn (a child born without the major, thinking part of the brain) wanted to donate the baby's organs. Anencephalics live only a few days. If you give the child those few days to live, its organs will begin to die too. At death, they will be useless. Removing the organs for transplantation while the child is still alive might allow a child elsewhere to live.

The parents wanted some good to come out of their tragedy. But a Florida court said no. One does not do good by doing evil. One does not deliberately shorten an innocent human life, even for others' sake.

The restless utilitarians of medical science do not countenance such squeamishness. The AMA's ethics council has just published a statement supporting the use of anencephalics as organ donors - even before they die. There is a great need for their organs, and legal scrupulousness must be overcome.

You can kill an anencephalic with moral impunity, they argue, because it isn't really human.

The council concedes that these babies "may be able to breathe, suck, engage in spontaneous movements... respond to noxious stimuli... and exhibit fa-

These babies have the right to die in their own time

cial expressions typical of healthy infants." While "all this activity gives the appearance" of "some degree of consciousness," they are absolutely certain there is none.

HOW DO they know? There is neither unanimity among experts, nor any way ever to know for sure. Consciousness is an entirely subjective experience. As pediatric neurologists have pointed out, these babies "can manifest a surprising repertoire of complex behaviors." Some can even distinguish their mothers. Who can say for sure they feel no pain?

Second, what about the age-old principle of respect for innocent life? No problem, says the council.

"First, it is important to emphasize that respect for the essential worth of life is an absolute value in the sense that it exists irrespective of a person's quality of life. However, it is not an absolute value in the sense of overriding all other values. Rather, it must be balanced with other important social values, including, as in this case... saving lives."

This is incoherent nonsense. If respect for life is an absolute value, then respect for the anencephalic must be as absolute as respect for the neurologically intact baby. And can "an absolute value" give way to other values?

This miscarriage of moral reasoning reveals an argument that lacks the courage of its own convictions. Instead of admitting that it is doing something wrong but in the name of some higher good, the council is trying to pretend that even doing wrong is doing right.

Isn't it? Why not admit it? Why not say: Harvesting the organs of not-yet-dead anencephalics is wrong, but the good that can come out of it is so great - so many other lives salvaged - that, damn it, we are prepared to transgress, just this once, the principle of sanctity of every individual life. Their case would still, in my view, be terribly flawed, but at least it would be morally honest.

Philosopher Paul Ramsey called this kind of moral honesty "sinning bravely." When violating a fundamental moral principle, he wrote, "We should not seek to give a principled justification of what we are doing."

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LETTERS TO THE EDITOR

HATIKVA ISN'T THE PROBLEM

Sir, - Dan Leon's swipe at "Hatikva" in his article of May 19 was misplaced. I doubt if the majority of Israeli Arabs are too familiar with the words of the national anthem - they are, after all, in Hebrew. My guess is that the national anthem is not what really concerns Israeli Arabs these days. The majority of Israeli Arabs still have difficulty identifying with a Jewish/Zionist state, and there lies the rub.

If the controversy took Leon back to the 1930s and '40s in Manchester, the story I have to relate is from Manchester of the 1950s, when Salford Grammar School (25 percent of whose boys were Jewish) moved to new premises. E.G. Simm, the headmaster, called me to his office to suggest that in the new school, we amalgamate "Jewish prayers" and "Christian prayers" (which had previously been held in separate assemblies). He assured me that there would be no mention of Jesus - just reading of Psalms. "We are all praying to the same God..." he pointed out. I didn't like the idea, but as I was the only senior Jewish boy and he was headmaster, the prayers were amalgamated. The arrangement didn't last long because the religious Christians on the staff objected to the bowdlerization - making the prayers *Jesus-free*.

The headmaster called me in again with a second idea. He told me that the gallery of the main assembly hall in the new school had shutters which, when closed, rendered it sound-proof. He suggested that we hold "Jewish assembly" in the gallery and at the end of prayers open the shutters so that we would all be able to hear the announcements together. Once again, he was the headmaster and the new arrangement began the next day.

In the course of our Jewish prayers, which consisted primarily of us reciting the first paragraphs of the *Shema* and the *Aleinu* and the Psalm of the Day, we discovered that the gallery was not as soundproof as the

good Mr. Simm had anticipated. The school's lusty rendering of Blake's *Jerusalem* wafted up from below, totally drowning out our devout mumblings. When their noise subsided, I addressed the Jewish assembly and suggested something which had never been done before (and probably not since): "Lads," I said, "I think that today we should conclude with *Adon Olam*." That was the first and last day of this arrangement. Thereafter we reverted to our separate arrangements - to everyone's satisfaction.

Purimism is a fine idea but has limited applications. I suggest that if we feel that times have really changed and that we no longer have anything to fear from local Arab nationalism, then we should suggest to the Arab minority that if they feel the necessity for an Arab Israeli national anthem, they should write their own - in Arabic, which could be sung, where appropriate, in addition to, not in place of, "Hatikva."

I don't know about Dan Leon, but I came to Israel from Manchester and I deplore all attempts, large or small, "to build a new Manchester on Israel's green and pleasant land."

C. MICHAEL COPELAND

Arad.

ARKIA FLIGHTS

Sir, - As a sufferer from psoriasis, I must travel to the Dead Sea twice a year. I have repeatedly asked Arkia to have a direct flight from Haifa, but to no avail.

Arkia has direct flights from Haifa to Rosh Pina, Turkey and Cyprus, but not to the Dead Sea. Is it too much to ask for a weekly or a bi-weekly flight from Haifa? As things stand, we Haifa sufferers have to leave at an unearthly hour in the morning to catch the flight from Tel Aviv.

RUTH GORMANS

Haifa.

HAPPY TOURIST

Sir, - I am returning to Ireland after being a wide-eyed tourist in Israel for nearly six months. I have been on a kibbutz, a moshav, have visited most of your unique country and have been passing the days in trendy Tel Aviv.

Generally, I thought the many sights and the history attached were captivating, the people were warm and friendly - but impatient with each other. Essential groceries like bread, butter, fruit and vegetables were very cheap.

In cities, I felt there was a culture of car-horns blowing and high-decibel stereos. Waiting to cross a street seemed like an eternity. For the rest of the time, I had my heart in my mouth and my hand in my wallet.

Finally, Israeli females are very beautiful and the males, I am gushingly informed, are equally attractive. Israel impressed me and I will be back to look for a wife - and maybe a home.

GENAN HOGAN

Tel Aviv.

RAFAEL'S ROLE

Sir, - The State Comptroller's criticism of Rafael reflects the general misconception of the proper role of this organization. It is a tragic error to consider Rafael as a profit-making business. The main purpose of Rafael is military research which assures the military superiority of Israel. This is as vital for Israel's survival as the existence of the IDF. As nonsensical as the proposition that IDF should be profitable, so it is to require it from Rafael.

As a matter of fact, in a certain sense it would be advantageous for Israel's security if Rafael would make less profit by not selling its latest inventions lest they fall into the hands of our enemies. This actually happened to certain components incorporated into American fighter planes, which were later sold to Arab countries.

DR. JACOB ROSIN

Netanya.

The ideal vs. the possible

THE battle by Labor Party women for a guaranteed 20-percent representation on Labor's Knesset list is a just one. Women ought to constitute more than the 9.1 percent of Labor's Knesset team that they do today.

Given women's percentage in the population - about 51 - they should be making up at least half of the list. But Labor's women are modest. They've demanded only 20 percent.

The problem is that the party is willing to offer no more than 15 percent, for fear that a more generous offer will lead to the total collapse of the primaries system.

If the women get more, it is argued, the demands of other minority groups, such as the Young Guard, pensioners and the disabled, will also have to be complied with; and since two slots have already been reserved for the kibbutzim, two for the moshavim, two for Arabs, one for a Druse, and one for a new immigrant, there won't be any room left for anyone else.

The Labor women's leadership is inclined to reject both the offer and the explanation - the former because it is considered inadequate and insulting, and the latter because women aren't a minority group.

Furthermore, the demands of the women and those of the various minority groups aren't mutually exclusive. In fact, the candidate most likely to be elected to the new-immigrant slot is Sofia Landover; and another woman, Noga Botansky, might well get in on one of the two places reserved for the kibbutzim.

BUT POLITICS is the art of the possible, and 15 percent may be the best offer Labor's women are likely to get at this stage.

SUSAN HATTIS ROLEF

This has nothing to do with justice, quality, or qualification. It has to do with the current balance of forces in the party - a balance which meant that the women's decision to boycott the final session of the Labor Party Convention last Monday went virtually unnoticed. All it demonstrated was the women's weakness - and lack of political wisdom.

Labor's women should grab what they can and go on from there

Their real choices right now are accepting the offer, or deciding to run on a separate list.

The only woman ever to have been elected to the Knesset on a women's list was a WIZO representative, Rahel Cohen-Kagan, in 1949. Two later attempts at a women's list, in 1977 and 1992, failed. Labor's women's leadership is thus likely to reject this option.

Of Labor's four women MKs, only Yael Dayan has publicly ex-

pressed reservations about the women's tactics at the convention. In a letter addressed to the women members of the Labor Party central committee, the body authorized to decide how many places should be reserved for women on the list, Dayan voiced her concern that if the women continue to reject the offer of 15 percent, the central committee (in which men constitute an overwhelming majority) might not even approve it. Why, after all, should they approve something the women themselves have rejected?

What the women ought to be doing now, Dayan argues, is ensuring that at least six women get onto the list on their merits. Among the ways to ensure this, she says, is an aggressive campaign to get women to register for the party in advance of the primaries; and through an effective information campaign to get them (and men) to vote for as many women candidates as possible when the primaries are held.

Being right isn't enough. You need to be savvy, too.

In their battle for equality, Labor's women should grab whatever is on offer, and go on fighting from there.

The writer is a political scientist.

POSTSCRIPTS

A BANK ROBBER in Edinburgh called the police to confess, but the police hung up on him, thinking it was a joke. The thief had to call again before they took him seriously, he told a Scottish court.

James Johnson, 43, told his son he could not live with the theft of £1,800 on his conscience and

went to a tavern to phone police. His lawyer said police treated the call as a hoax.

"Is this a joke?" they said and hung up. A second call convinced them Johnson was serious but by the time they arrested him he had spent all the money on drinks.

The Glasgow court sent Johnson for psychiatric evaluation.

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CHARLES KRAUTH

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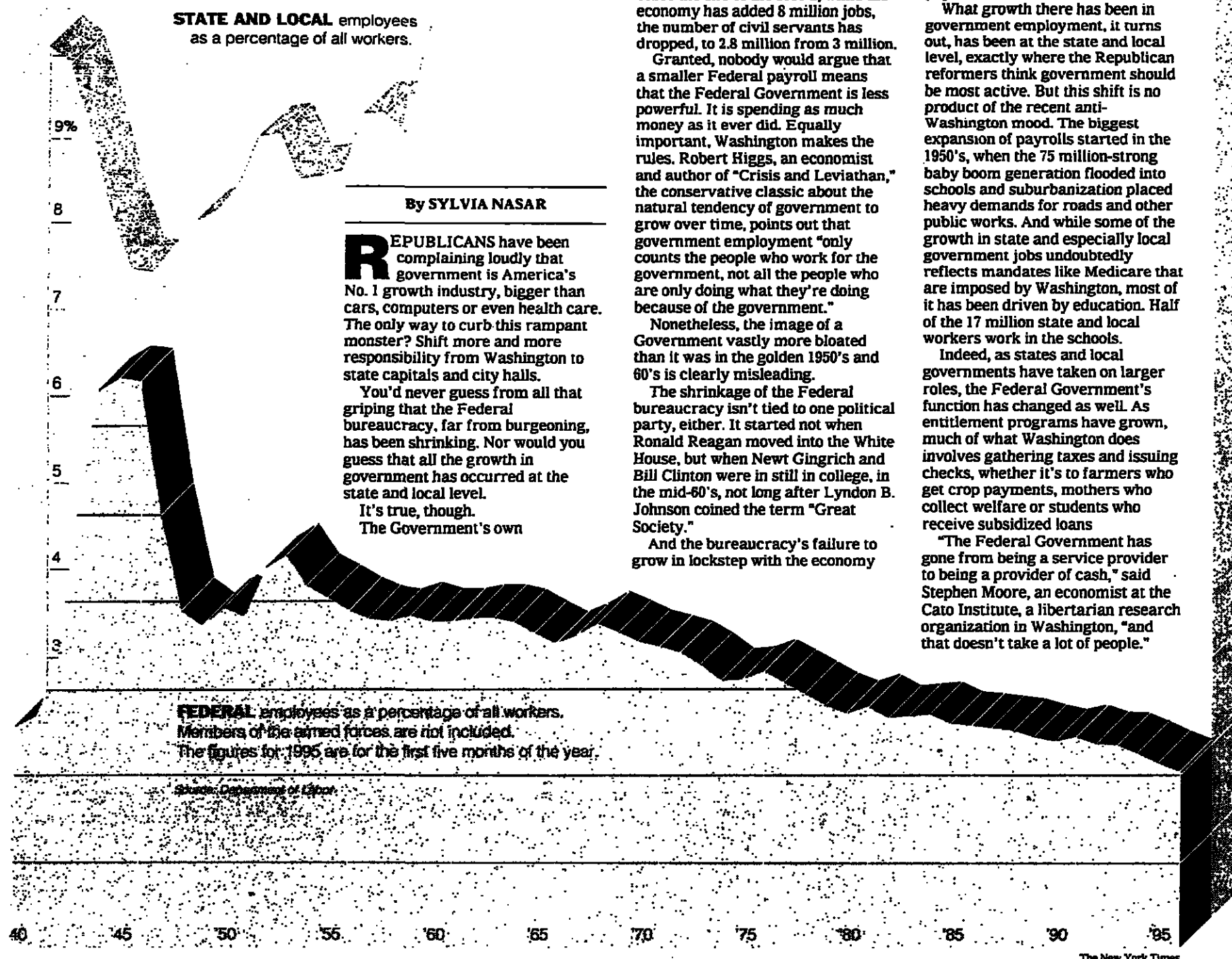
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The Bureaucracy: What's Left To Shrink?

STATE AND LOCAL employees
as a percentage of all workers.



By SYLVIA NASAR

REPUBLICANS have been complaining loudly that government is America's No. 1 growth industry, bigger than cars, computers or even health care. The only way to curb this rampant monster? Shift more and more responsibility from Washington to state capitals and city halls.

You'd never guess from all that griping that the Federal bureaucracy, far from burgeoning, has been shrinking. Nor would you guess that all the growth in government has occurred at the state and local level.

It's true, though.
The Government's own

employment data, reported every month since 1939 by the Department of Labor, show that Federal jobs, not counting the military, are a smaller share of all jobs now than at any time since the eve of World War II. The ratio of Federal bureaucrats to American citizens is lower — a lot lower — than it was when Dwight Eisenhower was in the White House. Since the end of the 1980's, while the economy has added 8 million jobs, the number of civil servants has dropped, to 2.8 million from 3 million.

Granted, nobody would argue that a smaller Federal payroll means that the Federal Government is less powerful. It is spending as much money as it ever did. Equally important, Washington makes the rules. Robert Higgs, an economist and author of "Crisis and Leviathan," the conservative classic about the natural tendency of government to grow over time, points out that government employment "only counts the people who work for the government, not all the people who are only doing what they're doing because of the government."

Nonetheless, the image of a Government vastly more bloated than it was in the golden 1950's and 60's is clearly misleading.

The shrinkage of the Federal bureaucracy isn't tied to one political party, either. It started not when Ronald Reagan moved into the White House, but when Newt Gingrich and Bill Clinton were still in college, in the mid-60's, not long after Lyndon B. Johnson coined the term "Great Society."

And the bureaucracy's failure to grow in lockstep with the economy

can't be traced to any single group of workers. The number of civilian defense workers, who account for a bit more than a quarter of Federal employees, dwindled after Vietnam and the end of the cold war. But so did the number of postal workers, who make up almost as large a share of the total. And so did the other categories, including everyone from Department of Agriculture meat inspectors to national park rangers to National Institutes of Health physicians.

What growth there has been in government employment, it turns out, has been at the state and local level, exactly where the Republican reformers think government should be most active. But this shift is no product of the recent anti-Washington mood. The biggest expansion of payrolls started in the 1950's, when the 75 million-strong baby boom generation flooded into schools and suburbanization placed heavy demands for roads and other public works. And while some of the growth in state and especially local government jobs undoubtedly reflects mandates like Medicare that are imposed by Washington, most of it has been driven by education. Half of the 17 million state and local workers work in the schools.

Indeed, as states and local governments have taken on larger roles, the Federal Government's function has changed as well. As entitlement programs have grown, much of what Washington does involves gathering taxes and issuing checks, whether it's to farmers who get crop payments, mothers who collect welfare or students who receive subsidized loans.

"The Federal Government has gone from being a service provider to being a provider of cash," said Stephen Moore, an economist at the Cato Institute, a libertarian research organization in Washington, "and that doesn't take a lot of people."

Party Stupor Democrats Find Out Things Can Get Worse

By RICHARD L. BERKE

FLANKED by his newly picked Democratic Party leaders, President Clinton stepped to the dais at the Washington Hilton Hotel in January and, taking some license with Mark Twain, proclaimed that the party was rising again after its disastrous beating of November. "The reports of our demise are premature," he said.

Mr. Clinton's comments, however soothing, were also premature. Only the most discouraged Democrats believe their party has collapsed. But as Democrats look to the 1996 campaign, many say that — to their astonishment — their prospects seem even worse than they did in the post-Election Day haze seven months ago.

The troubles were not outwardly apparent as Mr. Clinton headed for New Hampshire, and a proposed public meeting there with Speaker Newt Gingrich, this weekend. His approval ratings rebounded after his handling of the Oklahoma City bombing, and no primary challenger has materialized. Mr. Clinton must have been pleased that the spectacle of Mr. Gingrich's moose hunting was causing more excitement in New Hampshire than the Republicans' candidates for President.

Yet the biggest worry for the party of Franklin D. Roosevelt, John F. Kennedy and William J. Clinton is not whether Mr. Clinton manages to win re-election — a plausible scenario, particularly if independent candidates divide the electorate. More important, Democrats are wondering when, even whether, they will again dominate American politics.

Since November, the divide between liberals and moderates has only widened, leaving the party still trying to articulate, if not to find, its ideological bearings. It is as if Democrats are afraid to be Democrats. They stand for many of the same things as Republicans; they, too, want to balance the budget, reform welfare and cut taxes, only not as fast or as much.

As Senator John Breaux of Louisiana, the deputy whip for Senate Democrats, said in frustration at the deluge of his party's amendments to the fiscal 1996 budget: "There's been no message — just a lot of different scattershot approaches that tend to obfuscate and confuse. We're saying we don't like what they are doing but we don't say what we would do."

Even if Congressional Democrats were unified, it might not matter much. The party has practically no say in the House, and its influence in the Senate hangs less on its ability to

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Diseased Continent Gruesome images make the West see Africa.

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Twelve 11 Angry Men Why can't a jury be 6? (It can.) Or 5? (Sorry.)

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Somalia Syndrome Managing coverage of humiliation in Bosnia.

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The Rise of the 'Oldest Old'

If You're Really Ancient, You May Be Better Off

By NATALIE ANGIER

In a culture where it is unseemly for anybody except Clint Eastwood to appear in public with a wrinkle, it may be hard to fathom that the fastest-growing segment of the population is not the middle-aged (those baby boomers again) or the merely old, but the oldest old — people who are 85 and older. The oldest old remain a tiny percentage of Americans over all, but their numbers are climbing at a swifter clip than those of any other age group. And while centenarians seem such rare, unearthly creatures that Rose Kennedy's survival to age 104 was considered as remarkable as her political legacy, and the story of the 100-plus Delany Sisters was deemed worthy of a Broadway play, "Having Our Say," in fact this most tenacious group is growing even faster than the oldest old overall.

In the last 35 years, the population of 85-plusers increased by 232 percent, compared with an expansion of 30 percent for the population as a whole. Right now, the oldest old account for 1.2 percent of all Americans,

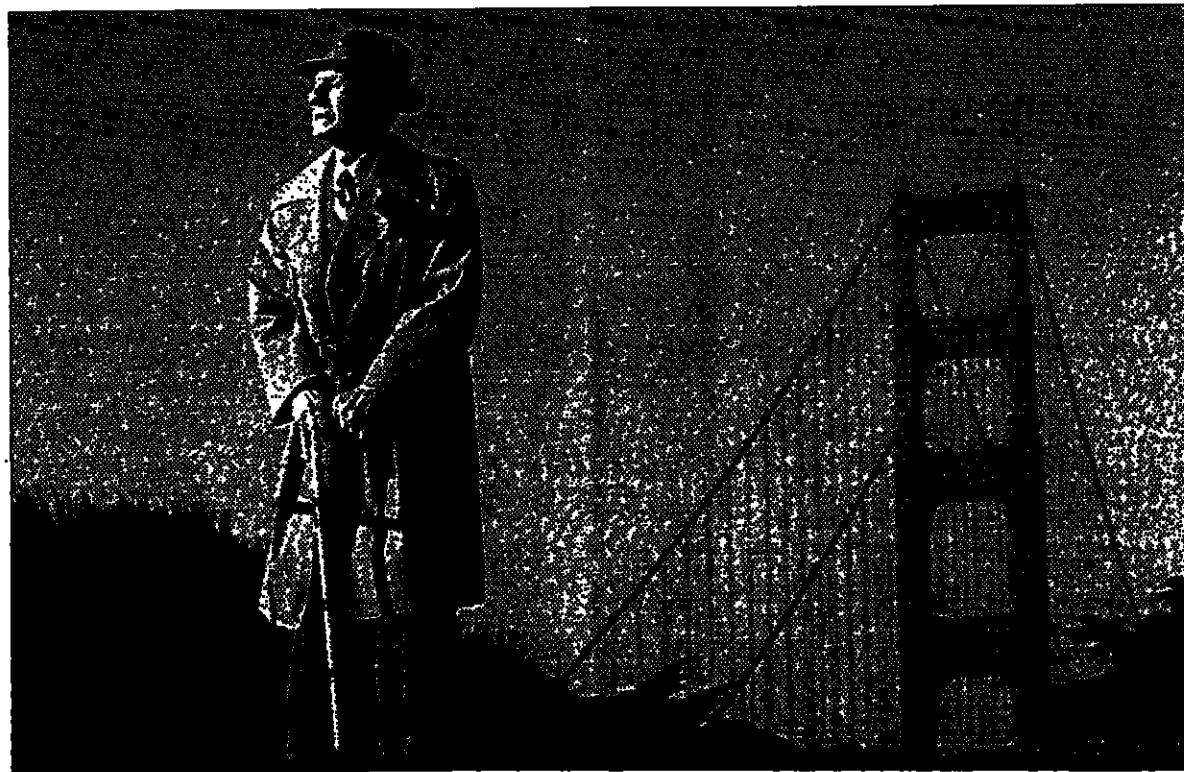
but by some projections that figure could rise to nearly 10 percent by the middle of the next century.

At first thought, this ripening of America offers a sobering image, one of inexorably increasing decrepitude, bodies folding in on themselves, nursing homes bursting beyond capacity, the sales of feeding tubes, adult diapers, wheelchairs and respirators soaring. All told, a picture like the Struldbrugs of "Gull-

ver's Travels," the race of people who were immortal but continued to age into what the narrator described as "the most mortifying sight I ever beheld...ghastliness in proportion to their number of years." And with the growing ranks of the super-old must surely come an ever more unbearable medical bill for younger generations. This possibility strikes a particularly ominous

chord now that the entire Medicare system is under fire and its long-term viability in doubt. Surely we can't afford these Methuselah legions.

But the news from gerontologists who study the health status of the very oldest Americans, and who are trying to calculate the impact of the hyper-aged on the Medicare system, is that the oldest old fare better, and



Over-85's are the population's fastest-growing segment. Sidney Amber, 109, at the Golden Gate Bridge.

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in some ways more cheaply, than one might expect. Those in their 90's and above may in fact be a healthier group over all than people 20 years their junior, and when they die they generally do so quickly, without the same degree of costly lingering that can accompany the death of those in their, say, 60's or 70's.

Hardy Centennials

The truth is, say gerontologists, that many of those who reach advanced years do so by dint of their own hardy constitutions, not through the "miracles" of modern medicine.

"When I was in training, my supposition was that the older you get, the likelier you are to accumulate the diseases and problems associated with aging, so surely those in their 90's and 100's must have the worst problems of all," said Dr. Thomas T. Perls, a geriatrician at Deaconess Hospital and Harvard Medical School in Boston. "But that's just not the case, and it's an important myth to dispel." Dr. Perls is the principal investigator of the New England Centenarian Study, an attempt to track the habits, health and whereabouts of those New Englanders who make it into their 100's.

In a report that appeared recently in the New England Journal of Medicine, James Lubitz of the Health Care Financing Administration in Baltimore and his colleagues calculated the impact of increasing longevity on Medicare spending. Estimating that the average 85 year old in the year 2020 will live an additional 19.1 years, compared to 17.7 more years in 1990, they concluded that the impact of this improved life expectancy will be quite small, amounting to a mere 3 percent of the projected increase in Medicare costs.

In addition, the average annual Medicare bill for people who live to be very old is significantly less than for those who die off sooner. For example, the average yearly payments for somebody who dies by 70 is \$6,457, while the one who makes it to 90 costs only a third that

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The World

Sure, Ebola Is Bad. Africa Has Worse.

By HOWARD W. FRENCH

WITH the gruesome death of scores of people from the Ebola virus last month, this lost city of 500,000, and with it a largely forgotten continent, was suddenly, if momentarily, found.

For weeks now, the scenery of Kikwit has been utterly transformed as space-suited scientists scurry about the government hospital compound and white Red Cross vehicles comb neighborhoods whose dirt roads had lost all habit of bearing vehicles. Foreign doctors and foreign correspondents easily rub elbows, one group hoping to bare the secrets of the scourge and the other hoping to flash the news.

Meanwhile, from only a few hundred miles to the east, word has filtered out of an older scourge: 250 people have been strick-

on the screen of the world's conscience. If it is true that Ebola represents a formidable and intriguing scientific puzzle, for many Africans it also seems true that these days the world's most miserable continent can only capture the West's attention by fulfilling new superlatives of human catastrophe or primordial exoticism.

Hence, death by the thousands in annual measles outbreaks, or a toll of millions from malaria, are non-events for an outside world that has already moved on to associating Africa with endemic H.I.V. infection and has found an even more spectacularly grim image of a diseased continent: Ebola.

A Savage Stereotype

For Britain's Sunday Telegraph, indulging in one of the oldest stereotypes about the continent, the newest epidemic was an example of "savage African diseases ready to break out anywhere at any moment."

By the same token, a world already jaded by the scale of death in Rwanda and Somalia scarcely notices that in nearby Sudan, where slavery on a large scale is still commonplace, many thousands have been starved to death or killed in a civil war.

"Where Africa is concerned, there is a constant search for tragedy with a new face, like what else is new in genocide," said Ali Mazrui, an African scholar at the State University of New York at Binghamton. "There is a hardened insensitivity to things which happen in Africa which are regarded as on the margin of human importance, even if hundreds of thousands die, which can only be called malignant neglect."

A United Nations official in Liberia who threw his hands up at the lack of international effort to help end that country's civil war put it differently. "Let's face it," he said on condition of anonymity, "the world's threshold for suffering is just higher in Africa than it is for other places."

If this statement is true, many Africans say that with the end of the cold war there have been subtle changes in the criteria that



The Ebola virus has transformed the landscape at Kikwit, Zaire, where people in protective garb wheel a coffin near the hospital.

Some horrors get global attention.
Others go unnoticed.

en with polio. Simultaneously, deadly cholera rages in Mali. To the south, in Angola, 30,000 people were recently infected with sleeping sickness. And a few weeks back, thousands died when meningitis swept across a broad belt of West Africa.

Unlike Ebola, all of these plagues are easily mastered by modern medicine, so Westerners need not fear their spread. But all of them already have killed, or likely will kill, far more Africans than today's celebrity virus. And for Africans, the troubling question arises why none of this continent's daily, deadly encounters with mostly preventable diseases hardly provokes a flicker

determine when outside powers focus on African misery. Backing dictators on the basis of ideological fidelity for three decades, East and West both ignored questions of human rights or economic development.

Bloody Hands

Long is the list of tyrants, like Mobutu Sese Seko of Zaire or Mengistu Haile Mariam of Ethiopia, whose hands were bloody with their own people's slaughter and who left their economies in ruin while enjoying the indulgent support of Washington, Paris, London, Moscow or Havana.

Now the West is quick to condemn African

dictators, but, many African intellectuals say, it is shockingly stingy when it comes to compassion for the people whose lives they have wrecked.

"They have learned how to sanction people, it seems," Guillaume Ngefa, president of the Zairean Association for the Defense of Human Rights, said of foreigners. "But as they sit back and watch the destruction of whole societies, it doesn't seem they have learned how to assist."

This kind of attitude nearly played a catastrophic role even in the Ebola outbreak. Zairean doctors in Kikwit say they had been sending S.O.S. messages for weeks about the spread of an unusually virulent

diarrheal disease before they succeeded in getting any serious foreign attention.

The reason, they said, was that after three decades of propping up President Mobutu, the West had all but severed its ties to Zaire.

"Kikwit hospital literally begged for help," said Dr. Dan Fountain, an American missionary physician who practices near Kikwit. But he said the initial response was that Bandundu was not one of the three provinces that aid organizations had decided to work in.

He said the Zairean director of Kikwit hospital asked him, "What do I need, a full-blown epidemic here before anyone notices?" The answer, it turned out, was yes.

In Algeria, Real Power Hides in the Shadows

By YOUSSEF M. IBRAHIM

THE most powerful man in Algeria has no official position, gives no interviews and is hardly seen in town.

In theory Khalid Nizar, a former army commander and a former Defense Minister, is retired and lives quietly on his pension. But even the least informed Algerian will tell you that no significant policy move or key military or government appointment can go through without his nod.

One of his associates is Gen. Larabi Belkheir, a former Interior Minister who lives out his own retirement in a comfortable suburban villa. A few days ago, as he chain-smoked and poured coffee for guests, he said he was now "totally out of politics." The guests were left to wonder why, then, the steel doors of his residence so often swing open for a procession of visitors who seek his views, opinions and counsel.

The answer is simple. In the last four years, as the military-socialist regime in Algeria has fought a growing Islamic rebellion, the country has had three presidents and four prime ministers. But another set of leaders has not changed. These are the men who pull the strings, those whom Algerians long ago took to calling "Le Pouvoir Occulte," or the Hidden Power.

Algeria, it turns out, is a place where prime ministers, cabinet ministers and even presidents are just faces presented to the public, while those who really rule do not flaunt their authority. They have risen from senior army command posts or from the ranks of the old ruling party, the Front for National Liberation. One Arab diplomat says they do not exceed 200 figures.

It is this group that the Islamic fundamentalists are really fighting, and it is their power that must be overthrown if the new Algerian revolution is to win.

But there is a deep irony. If the Islamic militants ever do attain power, the one thing they are least likely to change is the habit of keeping figureheads in the limelight while real power remains in the shadows.

This runs deep in the political culture in a region where social and economic problems are so firmly rooted that failure is always around the corner, and power-brokers need to be able to shelter themselves from blame.

The notion of "hidden power," in fact, predominates in the labor movement, the press, the vital oil industry, education, business, health and trade groups. And it is the rule among the armed Islamists. For example, much of the world considers the most powerful Islamist to be the 64-year-old Abassi Madani. But Islamists knew even before Mr. Madani was jailed in 1992 that their fighters took orders only from a fiery 35-year-old deputy of his, Ali Belhadj.

Noms de Guerre

Now Mr. Belhadj is in jail too, and the Islamist opposition is splitting into factions. And the new shock troops known as the Armed Islamic Group are in the hands again of little-known figures — this time

men who use noms de guerre and are called the Afghans, after the place where they received their military and ideological training in the 1980's.

There is, of course, a big difference between the "hidden power" that now controls Algeria and the one that seeks to supplant it. Algeria's basic division is between those who, after the 1954-62 war for independence from France, continued to accept the French mold and those who rejected it. The Francophiles, who still rule, are not to be confused with willing collaborators with France, or Westernized Algerians. But they retain secularism as their style of life, as contrasted to Islamic fundamentalism. The elite, for example, while preaching a return to Arabic and Islamic roots, educated their

It's a national habit:
Even the rebels use
figureheads as a front.

children in French and gave them and their classmates the best jobs.

This class is now being challenged by people who consider themselves Arabophiles — those who took seriously a Government campaign to rid Algeria of its colonial heritage in the 1970's, and shifted to a poorly organized brand of Arab education. Eventually, this group became the underclass from which the Islamic Salvation Front recruited its revolutionary cadres.

The Upheaval

In 1988, when a popular upheaval exploded with tens of thousands of Algerians demanding jobs, food and housing, the habit of keeping real power hidden only helped to deepen the crisis. The regime's powers decided to do away with the Front for National Liberation as a single ruling party, in favor of a system in which 65 parties, including an Islamic opposition party, would compete in elections. But at least 40 of these parties were the creations of various people already in the power structure, while others were insignificant movements of not more than a handful of people.

In that situation, a unified Islamic opposition and a Berber ethnic movement were able to quickly solidify their support and shock the old regime in the parliamentary elections of 1991, when Islamists carried a majority of seats in Parliament.

The regime's real leaders then decided to keep power at all costs in the hands of the "Pouvoir Occulte." President Chadli Benjedid was deposed, the election results were canceled and the Islamic party was banned. That set the stage for the current Algerian struggle, in which both leaderships are again operating from the shadows.

It promises to be a long fight. And many an Algerian will tell you that democracy will never be allowed to function by either side, so long as the occult forces rule.



L'ÉVÉNEMENT

De notre envoyé spécial à Sarajevo, Laurent Bijard

CASQUES BLEUS «Plus rien ne sera pareil...»

French media agreed to obscure hostages' faces. This headline said, "Blue Helmets — 'Nothing will ever be the same...'"

The Allies and Bosnia

Bad News They Can Manage

By CRAIG R. WHITNEY

EVER since the traumatic televised spectacle of a dead American helicopter crewman being dragged through the streets of Mogadishu, the "Somalia syndrome" has been a prime worry of governments mired or trying to stay uninvolved in Bosnia. Lately the United States, France and Britain have taken different approaches to managing the risks posed by troubling media coverage of soldiers doing what soldiers are paid to do — stand in harm's way.

Consider how the United States dealt with the shooting down of Air Force Capt. Scott F. O'Grady before his dramatic rescue last week, and how Britain and France have coped with the embarrassment of the Bosnian Serbs taking many of their soldiers hostage this month (more than half of the nearly 400 have since been freed).

After Captain O'Grady's F-16 was shot down over Bosnia on June 2, the NATO military command in Naples, Italy, did not release his name — following standard American military practice since the Vietnam War, when the rule was that soldiers killed or missing in action were not named until after next of kin had been notified.

Capt. Jim Mitchell of the United States Navy, the NATO spokesman in Naples, said several American news organizations had

learned Captain O'Grady's identity early last week but agreed not to broadcast his name until his rescue on Thursday. The military's rationale for withholding his name was that if he had been captured, the Bosnian Serbs might have used it and his family background against him to break his morale or worm information out of him.

Obscured Faces

France, with far more troops at peril, exacted greater restraints on coverage. Both President Jacques Chirac and his uniformed hierarchy were embarrassed by the humiliating spectacle of more than 100 lightly armed French soldiers in the United Nations Protection Force being taken hostage and then displayed on Bosnian Serb television handcuffed to fences and poles to deter NATO planes from further bombing. When French television and other media picked up the pitiful images, Adm. Jacques Lanxade, the chief of the French general staff, sent out strong requests to blur their faces at least so that individual soldiers could not be identified from them.

"We wanted to protect them and their families from an invasion of privacy," a French military spokesman said — to say nothing of the possibility that too many discouraging images on TV might increase public pressure on Mr. Chirac to pull out the thousands of French soldiers in Bosnia.

Most French news organizations, tradi-

tionally docile in the face of authority, complied. L'Express, a weekly magazine, defied it with a cover photo of two French soldiers with their hands up in surrender, and could face opprobrium or lawsuits from soldiers' families. But no action has been threatened against British and other foreign television organizations that saw no reason to heed the ban and beamed images into France.

Britain has a more unruly press and also a long tradition of "D-notices," military requests with the force of commands not to publicize information deemed harmful. But though the Defense Ministry did not disclose the names of the 33 British soldiers taken hostage, it also made no move to prevent British news media from identifying them or interviewing their relatives at home. "It is not our role to interfere with the editorial judgment of the media," a spokesman said. "What we want is for the hostages not to be placed in danger, and as long as that is not the case, we are satisfied."

Britain, like the United States, also has an all-professional military, one with a traditionally stiff-upper-lip attitude.

Unlike Americans these days, British leaders seem neither afraid to send them into danger nor particularly shocked at what sometimes happens when they go. But the Somalia syndrome has not been licked yet in Bosnia, and the ultimate mission of the reinforcements the Europeans are sending soon could yet be, as in Somalia, a sheepish withdrawal of peacekeepers.

مكتبة من الأناضول

The Nation Transplants, Morality and Mickey

By GINA KOLATA

A MORALIST might be tempted to say that to a large extent Mickey Mantle brought his liver problems upon himself. Granted, his liver cancer probably resulted from the hepatitis C infection he acquired from a blood transfusion years ago. But Mr. Mantle also had been an alcoholic for years and developed alcoholic cirrhosis, which greatly accelerates the course of the virus-initiated cancer. If Mr. Mantle had abstained, the cancer might never have occurred or not have materialized for decades.

So why are Mr. Mantle's doctors so eager to give a precious organ to someone who actively contributed to his disease? Why does any doctor give a liver to an alcoholic, when thousands of other, more temperate people languish on the waiting list or are never listed? The case of Mickey Mantle raises a troubling question about medical decisions: Should alcoholics with liver failure, smokers with lung cancer and obese people with heart disease receive the same treatment as people who have lived lives of moderation?

Doctors and ethicists agonize over this question and have come to very different conclusions. Some argue that it should make no difference how a person became ill; a few go so far as to say that they will even transplant livers to current alcoholics as well as to those with alcoholic cirrhosis.

On the other side are health-care professionals who say that patients whose livers fail through no fault of their own should be given preference over alcoholics.

Yet the most common reason for liver transplant is alcoholic cirrhosis, and nearly 18 percent of such transplants go to these victims of alcoholism, said Joel Newman, a spokesman for United Network for Organ Sharing, a national group in Richmond, Va., that allocates organs. Hepatitis C is next, followed by biliary atresia, a congenital malformation of the organ; liver cancer is way down on the list.

A national survey in the late 1980's by Dr. James Levenson, professor of psychiatry, medicine and surgery at the Medical College of Virginia, showed that individual transplant policies vary widely for people with alcoholic cirrhosis. While about 80 percent of them said heavy drinking argues against transplantation, 6.5

Should an alcoholic be eligible for a new liver? Ethicists agonize over this.

percent said that it was irrelevant to decision-making. Nationwide 117 hospital programs transplant livers.

Dr. Arthur Caplan, director of the Center for Bioethics at the University of Pennsylvania, said that at first glance a transplant to current or former alcoholics appears outrageous. "Spending \$300,000 for a liver transplant for somebody who brought harm upon himself is not a prudent use of scarce money and scarce livers," Dr. Caplan said.

"If society wants to pass laws saying no transplants for alcoholics, no transplants for felons or for smokers or for people who drive too fast, then it should," he said. But society, he said, "should not dump the issue of what to do about sin on those who work at the bedside; they're not equipped to make judgments and it violates their professional ethics."

In the transplant program at the University of Chicago School of Medicine, heavy drinkers must demonstrate that they have been alcohol free for six months before they can be placed on a waiting list. The director of the program, Dr. Richard Thistlethwaite, agrees that doctors should not have to decide who deserves a new liver.

"I think it's very difficult for physicians to make moral judgments about their patients," Dr. Thistlethwaite said. "There are a lot of traps we could fall into if we start to allocate medical therapies according to if we thought the patient was good or bad or had laudable or deplorable habits."

Dr. Thistlethwaite's colleague, Dr. Mark Siegler,

Baseball Hall of Famer Mickey Mantle in his high-rolling heyday.

who directs the University of Chicago's clinical ethics program, says all alcoholics should go to the bottom of the transplant list. Because there is a "dire scarcity" of livers, he says, it is justifiable and reasonable to give them first to people whose life styles did not contribute to their disease. "It's not so much blaming people for their disease," he said, "as saying that some are more blameless than others."

Yet Dr. Siegler said he would exempt Mickey Mantle from his rule because the baseball legend is "a

real American hero." He said Mr. Mantle, "who captures the imagination of a generation through his skill and ability and personality," should not be lumped in with the rest of the population and perhaps denied a liver so that a more blameless person can live.

"I think we have to give deference to the rare heroes in American life," he added. "We don't have enough of these people in America, and when one comes along, we have got to take them with all their warts and failures and treat them differently."

Congress Fiddles While Flags Don't Burn

By ADAM CLYMER

INSTEAD of swearing "to support and defend" the Constitution, as members of Congress have done on taking office for more than 200 years, the 104th Congress must have pledged "to support and amend."

Last week committees in both houses moved forward on the third attempted amendment of the year, an effort to prohibit the "physical desecration" of the American flag. And a House subcommittee began hearings on a fourth topic, prayer in schools. (Earlier, the Senate rejected an amendment requiring a balanced Federal budget and the House killed off proposals to impose term limits on members of Congress.)

None of those ideas is new, but one of the arguments for the flag-burning amendment was. After Senator Edward M. Kennedy of Massachusetts said recently that no more than six flags were burned a year and so the change was unnecessary, William Detweiler, national commander of the American Legion, begged to differ. "Burning the flag is wrong," he said. "We contend it is a problem even if no one ever burns another American flag."

His approach opened vast new vistas of change to lawmakers intent on editing Madison's rough draft, along with the possibility of removing contention from the amending process. If only old problems, either solved or vanished, were the

Why stop at protecting Old Glory? Ban witch-burning too.

subject of amendments, wouldn't the American Civil Liberties Union get less upset?

One could start with a problem even Madison and his co-authors avoided, perhaps because it was too recent a memory. An amendment to prohibit witchcraft, and the practice of mistreating accused witches, could be a first step toward uniting law and order and civil liberties factions. Senator Kennedy could sponsor it, since colonial Massachusetts led the way both in witchcraft and witch persecution.

Some bizarre but obsolete habits that offended many citizens — like goldfish swallowing or marathon dancing — may be as dead as flag-burning, but even in their heyday they did not produce demands for constitutional amendments.

A Modest Proposal

Perhaps the time has come to renew efforts that were made in the 1860's to prohibit states from paying off the Confederate debt. Besides its obvious civil rights constituency, such a proposal might also appeal to hard-pressed state governments from Richmond to Austin.

It also might be safe to prohibit the establishment of a monarchy. But as a first step, state legislatures could be invited to get busy on an amendment Congress passed in 1810 that has only been ratified by 10 states so far. Surely, another 28 could be found to support the proposal to prohibit Americans from accepting titles of nobility, with loss of citizenship the penalty.

An even more useful approach might be to prohibit an activity that is not a problem yet. Today's lawmakers may be sure of their purity, but why not propose an amendment — effective after the last of them retired — to exclude from Congress people whose votes are inspired by a look at their list of campaign contributors?

The 'Oldest Old' May Actually Be Better Off

Continued from page 1

amount each year. So, while the oldest old cost more in total outlays, the increase is far less than one would expect. Finally, the amount lavished on a person's last two years of life — medically the priciest years of all — is only \$8,300 for a person who dies at 90, but \$22,600 for the one who dies at 70.

The real force that is expected to drive up the Medicare bill by \$98 billion in the next 25 years, according to Mr. Lubitz and his co-workers, is the sheer volume of people turning 65 — all those baby boomers again. That more people will be living into their 80's and beyond is the least of Medicare's problems.

The super-old tend to die quickly, and less expensively than the younger old.

Part of the reason why health care costs drop as a person ages, researchers said, is that doctors are less likely to resort to extraordinary measures for the very old. But evidence suggests that the other reason is the relative robustness of the oldest of old. Cancer and heart disease, the two murderous biggies, generally fell those in their 60's, 70's and early 80's (though heart failure persists as a high-percentage killer for those in their early 90's). Alzheimer's disease also picks off the slightly younger old; men in particular will die of their dementia by the time they are in their early 80's. People who avoid getting such ailments are possibly the fittest,

and they may survive for years in comparative health, finally dying quickly of the "old folk's friend" — pneumonia — or multiple organ failure. "There seems to be a selection process, and once you're over the hump, you start a less steep trajectory of disablement," said Dr. Richard M. Suzman of the National Institute on Aging.

In demographic studies, he and his colleague, Dr. Kenneth G. Manton of Duke University, have found that the rate of chronic disability and institutionalization among the elderly declined noticeably in the last 10 years, and shows evidence of continuing to drop.

Not to sound too rosy about getting old, nobody knows if the next generation of the very old will continue to show improvements in haleness, or whether methods of dragging out life mechanically will yield a crop of bedridden nonagenarians with tubes surrounding them like the snakes locks of Medusa. Gerontologists predict not. If all the emphasis on better nutrition, calcium supplements, exercise, avoiding cigarettes and too much alcohol does not pay off in improved mobility among the old, then what is the point? This is not to say that many 88-year-olds are going to run marathons or fly planes or hike the Pyrenees, as relentlessly upbeat cartoon scenarios of appropriate aging would have it.

Moreover, even an old person who can walk and tend to the daily tasks of life unaided still may suffer

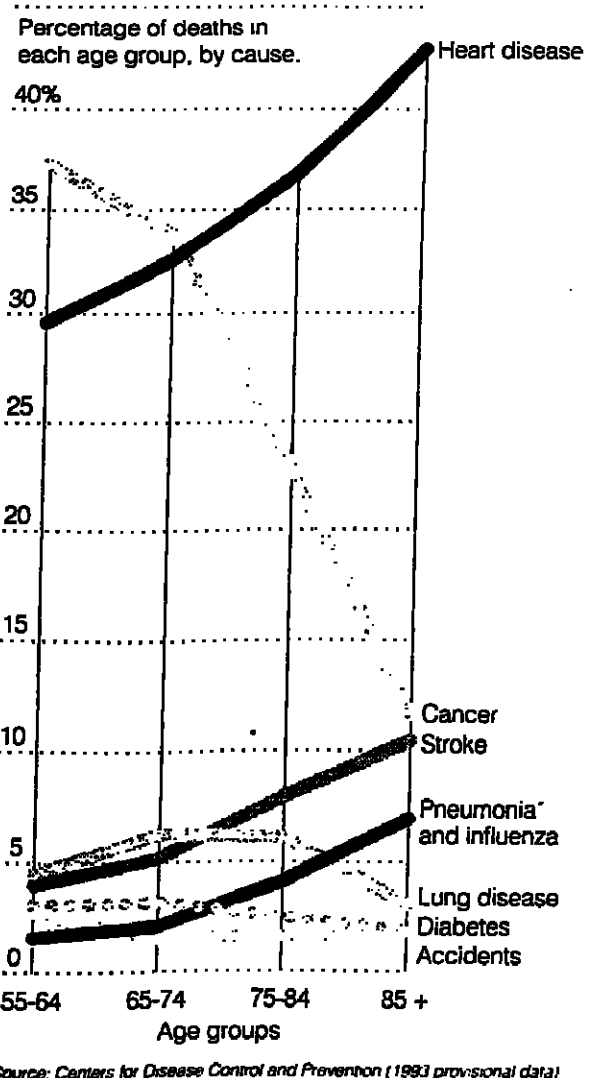


Surprisingly, the very old don't have the worst health problems. Dorothy Nyswander, 100, lives on her own in northern California.

the sorrows of being old and knowing that the next stage of life is ... death. As Stanley Jacobson pointed out in an essay in the April issue of *The Atlantic*, "Oldness itself is reason to be sad if you dwell on it." He argued that much of what is viewed as mental disease in the elderly is a rational response to one's mortality, "a monstrous boulder of an idea" to get one's mind around.

Nevertheless, those who reach very advanced ages usually are glad to. The oldest known person, Jeanne Calment of Arles, France, who turned 120 in February, has said that "aging actually suits me rather well," and that "I had to wait 110 years to become famous, and I intend to enjoy it as long as possible." May her pleasure persist. Ms. Calment is believed to be the oldest person who ever lived. "She has a huge responsibility on her shoulders," said Dr. Perls. "Every day she lives, she extends the maximum possible human life span."

How the Old Die



The Nation

Why a Jury Can Be 12, Even 6, but Not 5

By JAN HOFFMAN

TWO more down. Only two alternates left. With last week's dismissal of another two jurors, the O.J. Simpson jury slouches even closer to what many Americans assume to be legal apocalypse: a panel of less than 12 members. In Los Angeles, numerology and criminal justice seem to be on a collision course.

California law says a felony jury must consist of 12 jurors. But a number of lower state courts have said that the deliberating jury can fall below that number — if both sides consent. Why can't 11 jurors render a just

In the Simpson trial, attrition of jurors below the magic number might pose a dilemma for the prosecution.

verdict? Or even 10? Nowhere does the United States Constitution say that a jury has to consist of 12 people.

For thousands of years, though, civilizations have given great mystical prominence to an even dozen. The 12 days of Christmas. The 12 hours on the clock. The 12 tribes of Israel. Twelve months of the year, 12 houses of an astrological chart. A baker's dozen.

And 12 jurors. That's the tradition and the law in most states. An ancient Welsh king, Morgan of Glamorgan, who established trial by jury in A.D. 725, is said

to have declared, "For as Christ and his 12 apostles were finally to judge the world, so human tribunals should be composed of the king and 12 wise men."

By the 13th century in England, if an accused person could not produce 12 neighbors — the original jury of his peers — to swear to his innocence, he was presumed guilty. This system was especially problematic for a stranger passing through town or someone lacking in social skills.

Such an Ordeal

Still, it was usually preferable to two other 13th century English alternatives, the ordeal and the duel. In one version of the ordeal, the accused had to carry a red-hot iron for a short distance. Only if he was healed, on the third day was he judged innocent. In the duel, some well-to-do defendants would hire champions to fight for them, a practice handed down to the modern era in the form of retaining a lawyer.

Other countries in medieval Europe turned to juries that ranged in size from four to 66. In modern Western Europe, several countries allow juries of a mere handful, with a mix of lay people and judges.

And in 1970, the United States Supreme Court ruled that the Constitution does not require that a jury be made up of 12 people; six would do just fine. For cases other than capital offenses, Arizona allows an eight-member jury and Florida allows six. In a 1978 Georgia case, however, the Supreme Court said a jury of five was cutting it too close.

With the prosecution's case not even concluded, the Simpson jury seems likely to dip below the magic number. In that event, an unsettled question in California law is what will happen if the defense agrees to proceed, but the prosecution does not.

Some legal scholars say that Judge Lance A. Ito must then grant a mistrial, which would give the prosecution the option to try the case again. But Jeffrey



Phil Foster

Abramson, who teaches law at Brandeis University, said that an appellate court might well rule that Mr. Simpson cannot be tried a second time. It could find, he said, that so long as the defendant had agreed to have his fate decided by fewer than 12 jurors, double jeopardy had been triggered because he has a right to see a case completed with the jury he helped select.

Since the case began five months ago, 10 jurors have been replaced; only two alternates remain. By contrast, the McMartin Pre-School child molesting trial in Los Angeles ran for more than two and a half years and used up all six alternates, but wound up with a jury of 12 to deliberate in 1989.

Legal scholars say that the revolving door for Simpson jurors is spinning so quickly because of the availability of book offers and the unusual degree of scrutiny to which the jurors are being subjected. Their backgrounds have been investigated by prosecutors. They have been called in repeatedly by the judge for questioning, although the reasons for their dismissal have rarely been made public.

Peers or Paradigms?

Mr. Abramson said the querulousness among Simpson jurors would be overlooked in other trials. In a 1987 Supreme Court case, *Tanner v. United States*, two jurors complained after a verdict had been rendered that during the trial other jurors had used marijuana and cocaine, drank alcohol at lunch or fallen asleep. The court upheld the verdict anyway.

Given the egregiousness of the Tanner jurors' conduct, Albert Alschuler, a professor of criminal law at the University of Chicago, questioned whether the Simpson jurors had been dismissed for good cause.

"Sometimes we treat jurors as children, sometimes as mystical soothsayers," he said. "We have all these inconsistent images of the jury and they're all being played out in this crazy way in Los Angeles."

1996 Is Coming

For Democrats, Bad to Worse

Continued from page 1

fashion legislation than to stop it. Not until last week did Mr. Clinton veto his first bill — a plan to cut \$16.4 billion in Federal spending.

The party has constituency problems, too. The longtime pillars of Democratic politics — labor, blacks and the elderly — are showing cracks. Last week, when the White House embraced a Republican-sounding recommendation to cut legal immigration by one-third, it was roundly criticized by many immigrant groups whose members vote Democratic.

And while Republicans are demonstrating remarkable cohesion over Mr. Gingrich's agenda, Democrats are reluctant to stand, figuratively or literally, with Mr. Clinton. Last week, Representative Richard A. Gephardt, the House minority leader, broke with the White House once again in proposing an overhaul of the Federal income tax system. And advisers to Senator Max Baucus, a Montana Democrat who faces re-election next year, said it was with hesitation that he stood with Mr. Clinton at an event in his state earlier this month.

Lanny J. Davis, a former Democratic national committeeman from Maryland who worked on Mr. Clinton's Presidential campaign and who wrote "The Emerging Democratic Majority" (Stein and Day, 1974), is no longer as optimistic as his book's title. "The party has the worst historical identity crisis since Woodrow Wilson lost and it really didn't know where it stood and it took the Great Depression to find its identity," Mr. Davis said in an interview. "We don't

'Our base is literally dying,' one Democrat says. And new ones are hard to find.

know whether we're a liberal party or a moderate party, where we're a Government party or an AI Gore downsizing party. Because we don't know who we are, we don't know what to fight for — and we don't know who to fight against."

The Democrats' despair does not translate to a worry-free future for the Republicans. Poll after poll shows that while fewer people are turning to the Democratic Party, they are not flocking to the Republican Party but searching for an alternative, perhaps a third party. Surveys also show that many voters are worried that Republicans may be going overboard in their zeal to cut Government spending.

Still, Republicans are seizing the opportunity by demanding allegiance — and contributions — from the lobbyists and political action committees who for decades helped Democrats keep their hold on Congress.

"We got fat and lazy," said Carl A. Parker, who after 20 years as a Democratic state Senator from Port Arthur, Tex., lost his re-election bid last year. "All we had to do to raise money was trot out our big Congressional leaders and have them put the arm on a bunch of interest lobbies. The Democratic Party has lost its imperative as the party of the people. We have allowed the Republicans to gain the high ground as the party of patriotism and morals. And unless we do some serious soul searching and quit trying to be an imitation Republican, we're not going to do very well."

Compounding the disinclination among Democrats to rally around Mr. Clinton, the party has a dearth of

appealing new leaders in the wings — or veterans who can guide the party's comeback. Even the once-mighty Democratic Party of New York, for decades a bastion of national up-and-comers like Mario Cuomo, is little more than an answering machine: the party can no longer afford its own offices.

The post-November casualties are piling up: Two United States Senators and one Representative have defected to the Republicans, 25 have 60 seats of state and local officials. Five Democratic Senators have announced they will retire rather than face re-election next year, and party leaders have all but abandoned hopes of picking up the seats needed to win back the Senate; they are more worried now that the Republicans will get a filibuster-proof 60 seats. Against that backdrop, recruitment of new Democratic candidates has been difficult: Democrats in Illinois were dispirited this month when Neil Hartigan, a former state attorney general who was viewed as the party's best shot for the seat of Senator Paul Simon, who is retiring next year, took himself out of the race.

In the House, prospects for 1996 are not as grim, but they are not upbeat: the party needs 13 seats to regain control and risks losing still more in the South.

"Look, we're got some real rebuilding from almost every perspective," said Senator Christopher J. Dodd of Connecticut, the party's general chairman. But he warned that unless party members "spend more energy building the party instead of fighting each other," the party's demise will be "a self-fulfilling prophecy."

In the past, Democrats could always look to be rescued by the party's most loyal constituencies — and that is why Mr. Clinton is trying to shore up his liberal base for 1996. But that may not be enough.

A mutiny to unseat Lane Kirkland, the president of the A.F.L.-C.I.O., who now plans to retire, left organized labor, already a declining political force and angered by the Administration's championing of the North American Free Trade Agreement, more distracted. While Democrats can still turn to elderly Americans for support, that constituency will only be around for so long.

"Our base is literally dying," said Brian Lunde, executive director of the Democratic National Committee in the 1985 and 1986. "We can't rely on the current Democratic base to help find or define the next Democratic Party."

The most reliable Democratic voters, blacks, are not about to abandon the party. But they are growing restless and defensive over the attacks on racial quotas. The Rev. Jesse L. Jackson, the nation's most prominent black politician, is threatening to abandon the party. "We do not intend to be ignored, taken for granted, pushed off and exploited any longer," he said recently.

From the opposite end of the party, Al From, president of the centrist Democratic Leadership Council, which Mr. Clinton headed, sounds just as distressed. "The Democratic Party is in danger of ending the century where it began: as the remainder party in American politics," he said. "The Republicans have had the battleground of idea politics for themselves."

Mr. From and many other Democrats said that although Mr. Clinton was well on his way to fashioning a new message for the party in 1992, he ultimately refused to stand up to the entrenched Democratic leadership in Congress and, particularly with his health care proposal, cast his lot with the old liberal coalition.

Perhaps the best illustration of the Democrats' confusion is the choice of Senator Bob Kerrey of Nebraska as chairman of the Democratic Senatorial Campaign Committee. He may have a hard time pitching the Democratic line because he was one of three Democrats who voted for the Republican budget.

In a recent speech at the National Press Club, Mr. Kerrey called for a "new spirit of cooperation" among Democrats. But party members may have been put off by the title for his address: "Do Democrats Stand for Anything Anymore?"

Yes, Statutory Rape Is Still a Rather Big Deal



Among the accused: Janicelyn Mangual-Santiago, a 24-year-old aide at a Bronx school.

By MARGOT SLADE

SOMEWHERE between the Age of Innocence, to which Americans universally consign prepubescent girls and boys, and the Age of Enlightenment, in which youngsters can legally drive, often drink and generally engage in other adult vices, lies the Age of Consent, when youths can knowingly embark on a sexual relationship.

When that age begins in the United States is defined by law: it's 16 or 17 in most states. When it should begin in fact is a matter of debate.

"Our sexual mores are currently in flux," said Vivian Berger, a criminal law professor at Columbia University. "At the same time, we have documented evidence that puberty starts earlier. We know that among themselves teenagers may be experimenting with sex. We are getting away from the notion that girls are somehow spoiled if they are not virgins, and we are more aware that the laws concerning adult-adolescent affairs are being abused by families who simply don't like the adult and want the relationship to end."

Debate over the age of consent has been rekindled recently by a series of cases in New York in which male and female school employees — a gym teacher, a clerical aide, a business teacher, a guard, to name an infamous few — had liaisons with students in their teens.

To argue that the relationships were consensual elicits about as much public sympathy as a rapist's insistence that a woman said "no, no" but there was "yes, yes" in her eyes. Still, prosecutors and psychologists alike say they are less concerned about young couples than they are about liaisons between an adolescent and an adult who is in a position of trust — a teacher, minister, scout master or the like.

The Parents' Problem

"We get so many cases in which 15-year-olds have been sexually active with a number of partners, and it's only No. 5, who is several years older, who has the parents upset," said Linda Fairstein, chief of the sex crimes prosecution unit for the Manhattan District Attorney's office. "One of the beauties of prosecutorial discretion is that we can choose not to prosecute such cases."

"That is why we should concentrate on adults in the caretaker role — and why legislators should re-examine the age of consent for noncon-

tinual, noncaretaker relationships," she said.

Dr. Ava L. Siegler, director of the Institute for Child, Adolescent and Family Studies in New York, said confusion over the age of consent derives from the difference between biological and social maturity.

"In our culture," she said, "children are not prepared for, nor are they allowed to take their place in, the adult world. They still live with their parents; they are still required to attend school; they are not self-supporting; by law they cannot drink or drive."

And adolescents are, of course, vulnerable: they are looking for someone to emulate and seeking approval. "Yet psychologically, they may not be ready to deal with the consequences of physical and emotional intimacy," Dr. Siegler said.

'Their Kid Could Die'

And in an era of AIDS, she said, "more parents want their kids to be older, more careful about these experiences, their fear being that their kid could otherwise die."

Charlene Muehlenhard, an associate professor of psychology and women's studies at the University of Kansas, said, "After all, if we don't let someone under age 18 enter into legally binding contracts, why would we let them enter into sex, which could have even worse consequences?"

Americans' acute discomfort with sex between adults and adolescents also seems linked to fears of incest. In the broadest sense, it seems incestuous for a teacher, physician or other adult who wields power over someone significantly younger to have an affair with that youngster.

Having studied 37 cultures and queried 10,000 people worldwide about human mating and sexuality, David Buss has a different perspective. Mr. Buss, a psychology professor at the University of Michigan and author of "The Evolution of Desire" (Basic Books, 1994), speculates that historically, in all cultures, people have tried to interfere with each other's sexuality primarily because the women are competing for desirable men while men are competing for desirable women.

In the United States, Professor Buss said, where "socially-imposed monogamy" pits the 15-year-old girl against the 30-year-old woman, it is in the adult's interest to maintain that adult-adolescent liaisons are immoral. "Sexual morality becomes fascinating from this perspective," he said, "since what is moral depends on whose interests are being served."

NORMAN S. ...

Age ...

Current ...

Public ...

Education ...

Highlights ...

... and Some

SHEILA BAIR

... and Some

SIMON LORNE

MARK GRIFFIN

June 5-9: Interest

PRICES

Broad market

Blue chips

Small capitalization

90-DAY RELATIVE TREND

هذا من الأصل

At a Critical Time, Departures Weaken SEC

By REED ABELSON

Surely, when Americans talk about the need to shrink government, this can't be what they have in mind. For the first time in its 61-year history, the Securities and Exchange Commission, the Government agency responsible for safeguarding trillions of dollars of investors' money, may operate with only two commissioners, both Democrats.

Set up in the aftermath of the 1929 stock market crash to restore faith in the nation's securities markets, the commission was deliberately established as a bipartisan agency whose five voting members were to be selected by the President and confirmed by the Senate. These men and women police the securities industry, forcing on whether to take enforcement actions against companies believed to have violated Federal securities laws. They also determine the rules by which everyone involved in the nation's stock and bond markets must play.

But of late, the commission is a child of neglect, an odd status for one of the few Government agencies that actually makes money — lots of it, in fact. No one powerful has it in for the agency, but no one particularly cares about it either. What's more, the White House, which already has a record of botching high-level appointments, has its hands full, what with the crisis in Bosnia and the battle of the budget. So, unlike vacancies on the Supreme Court, which

all of Washington would be scrambling to help fill, the S.E.C. is making little progress filling the openings for its \$115,700-a-year commissioner jobs.

"It's a deplorable situation," said A.A. Sommer Jr., a former S.E.C. commissioner appointed by President Carter. "The failure of the Administration to make timely appointments tends to signal the Administration doesn't consider the commission important."

Two seats have been empty since the departures last year of Mary L. Schapiro and J. Carter Beese Jr. And barring immediate intervention from the White House and Congress, the shortage of commissioners will become more acute this month when Richard Y. Roberts, who was appointed as a Democrat but now considers himself a Republican, is expected to step down.

That would leave only Arthur Levitt Jr., the commission's chairman for the last two years, and Steven M.H. Wallman, a newcomer who is just learning the ropes, in place to conduct business. To avert total gridlock and "preserve its flexibility" in the event its numbers dwindle even further, the agency changed its rules in April so that one commissioner, rather than the customary three, could function as a quorum should it become necessary.

But the remaining commissioners are painfully aware that anything they tackle on their own could be challenged in court later. "I'm hopeful that the process will develop to nominate and recommend to the Senate very, very quickly," said Mr. Levitt. "I need and want commissioners."

A White House spokeswoman, Ginny Terzano, would not discuss candidates, but said the Administration was "in the process of filling the vacancies." A spokesman for Senator Bob Dole, the Republican majority leader, said he could not be reached on Friday.

At least some Washington officials insist that nominations are imminent. But at the very least, the delays pose some awkward problems for those who have to hold down the fort while the politicians deliberate. For instance, the sixth floor of 450 Fifth Street in northwest Washington, where the commissioners could once be found vigorously debating one issue or another, is eerily quiet these days. Because sunshine laws require that any gathering of commissioners sufficient for a quorum be publicized in advance, Mr. Levitt and Mr. Wallman can't be seen talking shop much at all.

And what to do, for instance, if they split down the middle on a crucial vote, as they are likely to do given their different temperaments and agendas? Mr. Wallman is an intense corporate lawyer who favors easing the S.E.C.'s filing requirements, while Mr. Levitt is a genial businessman who is more concerned with winning points with small investors by cleaning up the municipal bond business. They've already been said to have some dust-ups. "It's become the incredible shrinking agency," said a former commissioner who insisted on anonymity.

The situation would almost be funny except the agency has so much on its plate. The mounting debate in Congress over securities litigation reform, which would make it harder for individuals to sue companies, would place more of the burden of investor protection on regulators. Mr. Levitt, a popular figure here, has come out swinging against many of the proposals, but would be helped greatly if he had a Republican commissioner by his side.

In coming months, the S.E.C. must also weigh in on such fundamental issues as how the nation's regulatory framework applies to banks, insurers and securities firms as the barriers between their activities under the Glass-Steagall Act erode. The agency is also expected to play a role in reviewing the operations of the country's second-largest stock market, operated by the National Association of Securities Dealers. Its market-makers, the firms that buy and sell over-the-counter securities, are under investigation by the Department of Justice for possible violations of antitrust law.

"I think it is important for the Commission, the people who work with the commission and the people the Commission regulates to know where it is headed," said Philip Feigin, the president of the North American Securities Administrators Association, which represents state regulators. "For all Arthur Levitt's energy and the like, it's still an incomplete vision."

Representative John D. Dingell, a Michigan Democrat, issued a similar warning last month in a letter he sent President Clinton. "It will be very difficult for the commission to conduct routine business with only two Commissioners," the letter stated, "much less to make important policy decisions for our nation's financial markets."

In essence, it chided the President for squandering an opportunity to shape an important Government agency. "The new appointments which you must soon make will comprise the majority of members of the Commission and will in large part determine the course it will follow over the next five years."

The calming presence of the agency's commissioners would also be handy, to say the least, if the stock market suddenly developed a bad case of nerves. With just two commissioners, both of whom have hectic travel schedules, the agency could have no commissioner in Washington on a day when stocks plunged, a growing possibility as the Dow Jones industrial average flirts with new records daily.

There's also little doubt the agency could use all the help it can get to fight its battles on Capitol Hill. Those include a turf war over which regulatory body will be given the authority to monitor securities issued by banks or insurers.

Then there's the struggle to keep

its budget intact. Last year, the commission collected \$388.2 million just in fees it levies on companies that register with it, and it only cost \$260.3 million to run, leaving taxpayers with a tidy \$327.9 million surplus. For all that, the Republican Senate, for example, held up the agency's budget last fall, temporarily forcing the S.E.C. to cancel some investigations and make plans to shut down its electronic filing system.

It's no wonder Mr. Levitt is feeling a bit underappreciated these days. A longtime Wall Street executive who cofounded the brokerage firm that eventually became Shearson Brothers and later was acquired by Smith Barney, he also headed the American Stock Exchange before Mr. Clinton asked him to join the S.E.C. Since his arrival two years ago, Mr. Levitt has struggled to clean up the municipal bond business and expand what companies disclose to investors.

He is optimistic that the staffing problem will be remedied soon. But like most everyone else in Washington, he is hard-pressed to explain why it has taken so long to replace the two commissioners who stepped down last year, let alone deal with Mr. Roberts's imminent departure, which was announced a year and a half ago.

Ordinarily, there would be plenty of takers for such a prestigious job, despite the fact that top securities lawyers, the most obvious candidates, can usually make several hundred thousand dollars more in private practice. "I can't believe there's any dearth of qualified and interested candidates," said Ms. Schapiro, a former commissioner who now runs the Commodity Futures Trading Commission.

But what has made the job a little less attractive, at least in the opinion of one securities lawyer, are new conflict-of-interest rules requiring anyone who leaves the job to wait five years before doing business with the agency.

A bigger hurdle by far, however, appears to be the White House's skittishness about mishandling another high-level nomination. After being criticized for bungling the nominations of Zoe Baird for Attorney General and Dr. Henry W. Foster for Surgeon General, to name just two of many, the process has become even slower as the White House seems determined to head off another Republican attack.

Thus, for tactical reasons, even though President Clinton has the power to name one more Democrat to the commission, he appears to be delaying until the Republicans come forward with a Republican name for him to propose, so that the two can be considered in tandem.

By most accounts, no one expects the White House to risk any political capital trying to fill the fifth seat on the commission: it lapses next June anyway, and the Republicans seem to prefer waiting until 1997 when they might have one of their own as President. "White House appointments tend to get all wrapped up in political subtleties," said James Doty, a former S.E.C. counsel who is now a lawyer for the Washington firm of Baker & Botts.

What has also struck many people formerly or currently involved with the commission, is that many of the names that have surfaced as possibilities seem heavily motivated by a desire to win approval from an important constituency or Washington ally, suggesting that President Clinton does not feel he can singlehandedly strongarm his choice through a Republican Senate.

For instance, Ellen Seidman, a White House aide who once worked closely with Robert Rubin, the current Treasury Secretary, is sometimes mentioned as a candidate and would presumably have Mr. Rubin's support. Likewise, Brian Borders, the president of the Association of Publicly Traded Companies, an industry group that enjoys broad backing from small business, was briefly considered a candidate.

In the current cutthroat climate in Washington, even people once regarded as shoo-ins like Dennis Shea, a key aide to Senator Dole, have either removed themselves from consideration or been swallowed up by political intrigue. The frontrunner for the Republican bid is now thought to be not Mr. Shea, but Norman S. Johnson, 64, a Salt Lake City securities lawyer and one-time S.E.C. staff attorney. He is believed

to have the support of Senators Dole and Orrin Hatch, the Utah Republican.

As of last week, the White House was said to be settling on Isaac C. Hunt Jr., 57, the retiring dean of the law school at the University of Akron in Ohio, as its nominee for the remaining Democratic seat. The first black to graduate from the University of Virginia Law School, he, too, worked for a time as an S.E.C. staff attorney and went on to serve on the Kerner Commission that investigated the 1967 race riots.

To be sure, a lean S.E.C. won't bring the securities markets to a halt. Other agencies, such as the commodities futures commission, have made do with just two commissioners for periods of time. Mr. Levitt and Mr. Wallman are both well-respected, and the agency is known for its strong and capable staff. "The public shouldn't worry that the job isn't being done," said Ms. Schapiro. "It will weather this. Still, it's nice to have more hands on deck."

But even if the long-awaited list of names were announced tomorrow, it could take months to get through Congress, and then the appointees would have to get up to speed. Other forces in Washington are also at work that could set back any progress. For instance, though he strongly discourages such talk, Mr. Levitt's name is being bandied about as a possible replacement for Ronald H. Brown as Secretary of Commerce should Mr. Brown have to step down as a result of a likely investigation into his business dealings.

In the meantime, the agency will have to make do with less than its full complement of commissioners. For instance, sometimes, a commissioner simply needs to be on hand to assist with a breaking insider-trading case, where it's necessary to convince a judge to freeze assets before they disappear.

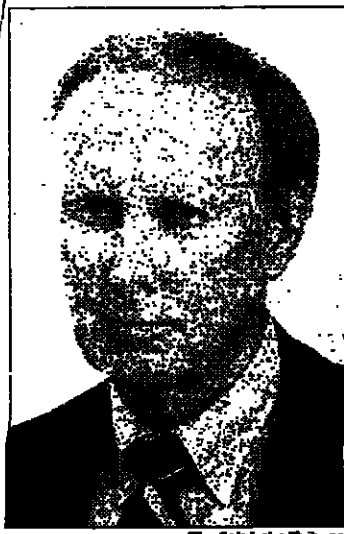
It may also have trouble signing off on the bigger initiatives investors expect it to take. The S.E.C.'s general counsel, Simon Lorne, himself said to be a possible candidate for a top job, believes that the agency acted well within its authority when it amended its rules on quorums in April to insure that the agency could "take effective action in the event, however unlikely, that there would be a period with only one commissioner in office."

But outside lawyers aren't so sure. Defense lawyers are already said to be delving into whether a decision reached by just two commissioners, let alone one, would be legally binding. "The issue hasn't been resolved by the courts, so nobody really knows the answer," said Harvey Pitt, a former S.E.C. counsel and lawyer with Fried, Frank, Harris, Shriver & Jacobson.

More troubling, even if the S.E.C. can legally operate with just one or two commissioners, it does so at the risk of its reputation. "The credibility and moral authority of the commission's actions and decisions are somewhat hindered," said Mr. Pitt.

That is at least in part because the agency has had a long unblemished record of acting independently of the commissioners' politics, as when it investigated possible securities violations by George W. Bush, the son of the former President.

Leading Contenders for Two Of the S.E.C. Vacancies ...



NORMAN S. JOHNSON

Age 64

Current job

Senior partner in the firm of Van Cott, Bagley, Cornwall & McCarthy, Salt Lake City

Political party

Republican

Education

San Jose (Calif.) State College, 1949

Brigham Young Univ., 1956

Univ. of Utah Law School, 1959

Highlights

■ S.E.C. attorney in Salt Lake City, 1965-67.

■ Has served on a number of bar association committees, and as president of the Utah State Bar Association, 1985-86.

■ Has written a number of articles on securities regulation, including "Securities Law and the Franchise Agreement," 1981, and "The Dynamics of SEC Rule 2(e): A Crisis for the Bar," 1975.



ISAAC C. HUNT, JR.

Age 57

Current job

Dean, Univ. of Akron Law School

Political party

Democrat

Education

Fisk Univ., 1957

Univ. of Virginia Law School, 1962

Highlights

■ S.E.C. staff attorney, 1962-67.

■ Dean of Antioch Law School, 1983-87.

■ First black to graduate from the University of Virginia Law School.

■ Served on the Kerner Commission, 1967-68, which investigated race riots in cities after the summer of 1967.

■ Topics of recent speeches include, "How Do We Make a Better Lawyer?" 1994, and "Where Are the Minority Law Professors?" 1989.

... and Some of the Also-Rans

SHEILA BAIR
Former acting chairwoman of the Commodity Futures Trading Commission

SIMON LORNE
S.E.C. general counsel

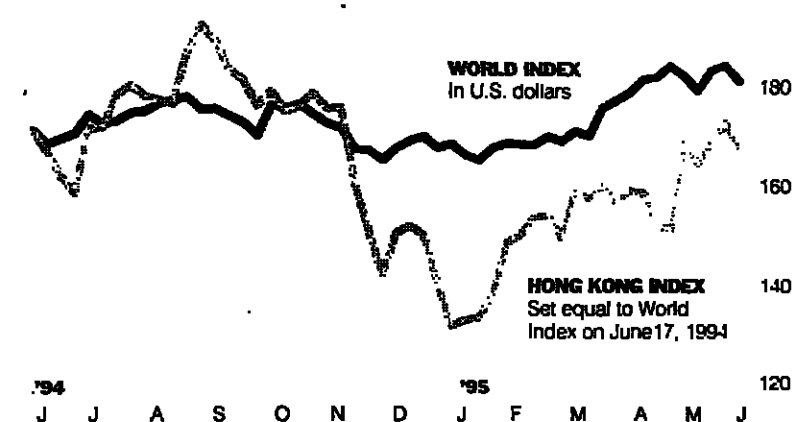
MARK GRIFFIN
Utah state securities regulator

JEAN GLEASON
Attorney in the Washington law firm of Fulbright & Jaworski

DENNIS SHEA
An aide to Senator Bob Dole

ELLEN SEIDMAN
An economic aide to the White House

WORLD STOCK MARKETS



Prepared by Goldman, Sachs & Co. using data derived from the FT Actuaries World Indices, a measure of stock market performance. The FT Indices are compiled jointly by The Financial Times Limited, Goldman, Sachs & Co. and NatWest Securities Ltd. in conjunction with the Institute of Actuaries and the Faculty of Actuaries.

PERFORMANCE IN U.S. DOLLARS

Country	Index	Week % Chg.	Week Rank	YTD % Chg.	YTD Rank	Dividend Yield	Index	YTD % Chg.
Australia	163.90	-0.8	12	-4.5	23	4.15	151.39	2.9
Austria	195.96	-1.0	15	7.2	18	1.25	142.18	-3.4
Belgium	191.66	-2.5	19	13.8	7	3.84	136.12	3.0
Brazil	132.68	-7.4	26	-18.7	25	1.52	222.85	-12.4
Britain	216.44	0.3	4	11.1	14	4.17	200.69	8.7
Canada	140.68	0.0	8	8.7	16	2.52	140.30	6.8
Denmark	281.05	-0.5	11	11.6	12	1.52	208.52	0.0
Finland	218.09	2.5	1	17.3	2	1.58	196.09	6.0
France	182.83	-2.4	18	11.8	11	3.15	140.85	2.9
Germany	157.96	0.2	7	10.2	15	2.07	114.75	-0.6
Hong Kong	382.55	-3.3	22	11.2	13	3.78	359.99	11.1
Ireland	230.95	0.2	6	12.0	10	3.59	199.06	5.8
Italy	74.63	-0.9	13	-0.9	22	1.88	90.90	-0.3
Japan	146.87	-4.4	24	-6.4	24	0.96	78.22	-21.0
Malaysia	543.16	-2.6	20	13.3	8	1.60	510.52	8.3
Mexico	929.38	-4.4	25	-34.4	26	2.12	6321.39	-17.1
Netherlands	250.33	-0.3	10	15.4	3	3.54	178.52	3.9
New Zealand	80.40	-2.6	21	14.1	6	4.67	64.03	9.6
Norway	223.44	0.4	3	4.8	20	2.24	188.41	-3.7
Singapore	365.44	-3.6	23	6.0	19	1.69	253.54	1.2
South Africa	341.20	-1.5	16	1.3	21	2.54	273.94	-8.7
Spain	148.12	-0.1	9	12.2	9	4.16	135.97	3.3
Sweden	266.60	1.1	2	15.4	4	2.10	283.94	11.6
Switzerland	199.08	0.2	5	20.5	1	1.81	142.00	5.9
Thailand	171.05	-2.2	17	8.1	17	2.67	163.61	6.2
United States	215.77	-1.0	14	14.9	5	2.67	215.77	14.9

COMPOSITE INDICES

Europe	189.06	-0.2	11.9	3.16	158.07	4.9
Pacific Basin	156.97	-4.1	-4.5	1.34	89.50	-17.1
Europe/Pacific	170.24	-2.3	2.5	2.18	114.96	-7.9
World	184.38	-1.8	6.5	2.37	146.57	-0.1

Source: Goldman, Sachs & Co. Exchange rates as of Friday's London close. © 1995 The Financial Times Ltd., Goldman, Sachs & Co. and NatWest Securities Ltd.

CURRENCIES

Country	Currency	Friday	Last Friday	Week % Chg.	Year Ago
Japan	Yen per U.S. \$	84.29	84.32	-0.04	103.60
Germany	Marks per U.S. \$	1.4053	1.4089	-0.26	1.6865
Canada	Canadian \$ per U.S. \$	1.3777	1.3773	+0.03	1.3750
Britain	U.S. \$ per British pound	1.5953	1.5880	+0.46	1.5095

Source: Bloomberg Financial Markets; exchange rates as of Friday's New York close.

June 5-9: Interest Rate Outlook Sends Stocks and Bonds Falling

PRICES

DOMESTIC EQUITIES

Broad market	Down 0.86%
S & P. 500 index	527.94
Blue chips	Down 0.46%
Dow 30 industrials	4,423.99
Small capitalization	Up 1.08%
Russell 2000 index	275.21

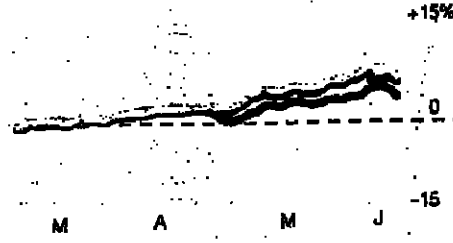
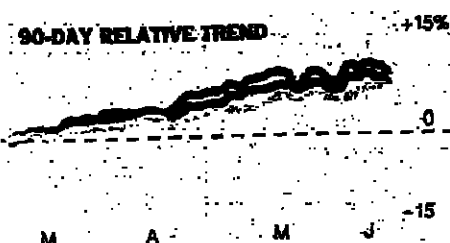
DOMESTIC BONDS

Treasuries	Down 1.53%
Ryan Labs. Total Return	177.76
Municipals	Down 0.99%
Bond Buyer index	94.03
Corporates	Down 1.46%
Merrill Lynch Master index	754.74

AROUND THE WORLD

European stocks	Down 0.24%
F.T.-Actuaries Europe	189.08
Asian stocks	Down 4.05%
F.T.-Actuaries Pacific Basin	156.97
Gold	Up 1.06%
New York cash price	\$391.10

Foreign stock indices are shown in dollar terms



YIELDS

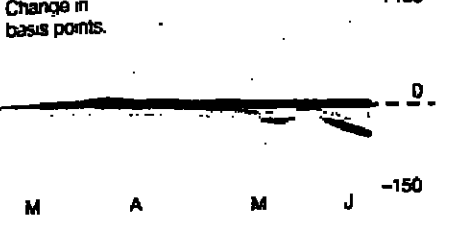
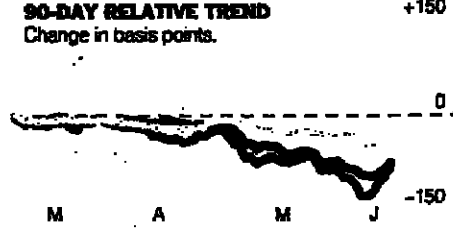
BONDS

Long bonds	6.72%
30-year Treasuries	Up 19 basis pts.
Short bonds	6.00%
2-year Treasuries	Up 46 basis pts.
Municipals	6.09%
Bond Buyer index	Up 7 basis pts.

In basis points: 100 basis points = 1 percentage point

OTHER INVESTMENTS

Money market funds	5.50%
Bank fund average	Down 1 basis pt.
Bank C.D.'s	5.36%
1-year small savers	Down 16 basis pts.
Stocks	2.61%
S & P. 500 dividend yield	Up 3 b.p.



Sources: Bank Rate Monitor, Bloomberg Financial Markets, The Bond Buyer, Datastream, Goldman, Sachs, IBC's Money Fund Report, Merrill Lynch, Standard & Poor's, Ryan Labs

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Common Sense on Immigration

A bipartisan Federal commission proposed last week that the United States slash legal immigration by one-third and virtually close the nation's borders to "extended" family members of American citizens. President Clinton swiftly embraced the report. But after representatives of Asian and Hispanic immigrants complained bitterly, the President's press secretary volunteered that perhaps the White House had not carefully considered all the issues.

The press secretary spoke the truth. The White House seems to have reacted before deliberating carefully on an issue that begs for deft handling. Immigration, along with affirmative action, promises to become an incendiary issue in the 1996 elections. It plays to racial fears. It plays to economic fears of workers whose wages have stagnated for two decades. The President can easily embrace the commission's basic policy thrust: admit more skilled, and fewer unskilled, workers. But he should hesitate before endorsing its proposal to reduce immigration levels and impose a "fee" on employers who hire foreign professionals.

The emotional issues aside, immigration is a tough subject to get right because so little is known about its economic impact. Historically, the United States has been enriched by a steady influx of energetic and ambitious immigrants. But no one knows whether current levels, about 900,000 a year, are too low or too high. There are, however, disturbing trends. Twenty years ago, immigrants and those born in America were equally educated and earned equivalent wages. Since then, the percentage of immigrants who have dropped out of high school has risen and their wages fallen. In the 1970's, immigrants collected relatively little welfare; now they depend on welfare more than the native born do.

Since the early 1970's, the gap between the earnings of college graduates and high school dropouts has risen by more than 50 percent. Experts disagree, but many believe that low-skilled immigrants have driven down the wages of low-wage native-born workers who compete for the same jobs. A study by Prof. George Borjas of the University of California estimates that perhaps a third of the increased inequality can be traced to immigration.

L.A. Law, One Year Later

Nicole Brown Simpson and her friend Ronald Goldman were murdered one year ago tomorrow. Time may fly for the obsessed watchers of tabloid television, but it has crawled for more serious citizens. Beyond question the trial of O. J. Simpson has already consumed enormous chunks of attention, and after 20 weeks, it may be only half over.

After all this travail, the trial is in danger of collapsing into a mistrial. Already 10 jurors have been dismissed and only two alternates remain. Judge Lance Ito continues to grind out dismissals of sitting jurors for what he describes as "good cause" without saying exactly what that means. Prompted by the impatient surviving jurors, he tries but fails to pick up the pace, frittering over time-consuming motions and straining jury-endurance.

The famous defendant has become less familiar over time. No longer a broken-field runner or television personality, he maintains his right to silence. His lawyers wind down his swivel chair in the mornings to make him sit lower and try to make jurors forget, despite prosecution reminders, that he is a muscular 6 feet 2 inches and 210 pounds.

Platoons of lawyers, with special teams to rival pro football, divide the work and run the plays for both sides. Even more than usual they are hired

guns, some of them ready for rematches in Chicago or Cleveland if needed for trials there. Though seasoned, they engage unprofessionally in gratuitous quarrels long after warnings from the judge.

Meanwhile, the ever-fallible Los Angeles police and coroner look sloppier and sloppier when it comes to the handling of evidence and the investigative techniques that were held up as national models in the long-gone days of "Dragnet."

Video cameras are disclosing these and other foibles of a ballyhooed "trial of the century," but are they showing a broken system? For American society that is an important question that should not be lost in the publicity swirling around Mr. Simpson and the constellation of lesser celebrities spun off by these freakish events.

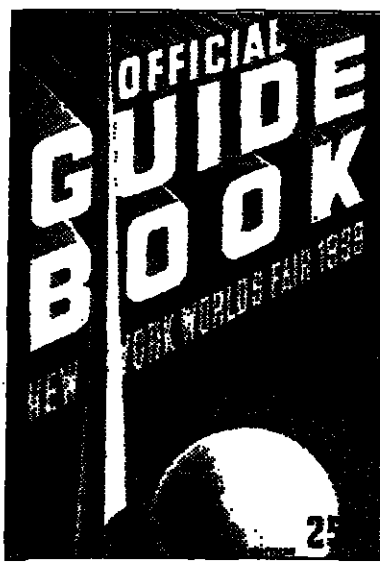
The best answer so far is that the system works, but California, which generates long trials, could use some patching. American justice still places the burden of proof in the right place: with the state. The obsession with this particular television trial should not lead to a rejection of televised trials or any wholesale changes in the basic processes of the American criminal justice system. In the messy business of refereeing human frailty, it is still the best system yet devised by any society.

So Long at the Fair

The Parachute Jump, more memorable now for a famous photograph of a man and woman stuck in mid-descent than for its dizzying 10-second drop, has been moved from Flushing Meadows to Coney Island. The New York State Building, which once housed what the guide book called "graphic and arresting displays of New York's vast resources and its social progress," has become the Queens Museum.

The only other remnant of the 1939 New York World's Fair is the Billy Rose Aquacade. Johnny Weissmuller (he of the awesome pecs) and Eleanor Holm (she of the frolicsome disposition) once swam there, along with a supporting cast of aquabellies and aquabeaux. Today the foundation is crumbling, the 11,000 seats are disintegrating and no swimmer would dream of sticking so much as a toe into the pool's sorry, stagnant water.

There are those who think the Aquacade worth saving, who speak eloquently of the pleasure of ruins and mourn the city's plans to tear it down. Preservationists are among them — the borough of Queens, they say, is too low on landmarks — as is the writer E. L. Doctorow, one of whose novels is titled "World's Fair." Others, like Parks Commissioner Henry Stern and Queens Borough President Claire Shulman, want the Aquacade erased from Flushing-Meadows Corona Park.



But even with most of its buildings leveled, the fair itself still exists, so fierce is its grip on the imagination.

Stroll through any flea market, and watch how people pounce on the Trylon and Perisphere salt and pepper shakers or the old postcard with the Trylon and Perisphere on the picture side. These most splendid of all logos may be one reason why the 1939 fair is so firmly lodged in the American mind. Another may be the year itself, the very notion of 1939. By 1940 the fair was rowdier, jazzier, cheaper and the world considerably grimmer. In 1939, America still seemed safe from the gathering storm.

Then, too, the fair's theme — "Building the World of Tomorrow" — was a shot in the arm to a nation emerging from the Depression, and the buildings that proclaimed that world, an astonishment. Own a Trylon and Perisphere salt shaker and you own that sense of possibility.

Possibility was, in the end, what the 1939 fair was all about and why so many treasure its artifacts — even one as derelict as the Aquacade. Funny thing is, the world promised by the fair — the technologies and styles and streamlining — did arrive eventually. But, as always, tomorrow, however grand, never lives up to the promise it held yesterday.

Let's Think About What We're Doing in Bosnia

To the Editor:

Everyone agrees that the situation in Bosnia is a mess. But although there is disagreement on how we got there, some argue that we recognized Bosnia before it was clear that the Government had control and was supported by the people. This was contrary, for example, to British tradition, and contrasts with the United States delay of 17 years recognizing the Soviet Union (in 1935).

It is even suggested that the recognition of Bosnia violated our agreements with the Government of Yugoslavia. Not everyone realizes that recognition in itself was considered by some to be "taking sides" in the conflict. Others think the United Nations should have intervened massively, as in Operation Desert Storm.

It is easy to find past mistakes, but it is less clear what should be done now. Some argue that the United Nations should get out and let the local inhabitants decide the matter on their own, probably with bloodshed. Others say that the United Nations force should be augmented. But if we augment the force, we should have a clear conception of the society we are hoping will exist in Bosnia at the end.

Eventually the United Nations force will withdraw. Are we trying to leave a multi-ethnic state in Bosnia? Why should this work better than one in Yugoslavia? If we force Serbs to live under Muslim rule, or vice versa, will they kill one another when the United Nations leaves? Whether or not the Serbs — or an individual Bosnian Serb soldier — committed war crimes, the Muslims think they did. Why should we expect them to live peacefully together?

Do we leave a divided Bosnia, with a patchwork quilt of enclaves, impossible to govern or defend? Or commit forces to police this forever?

One possibility would be for the United Nations to decide on defensible boundaries, police them strongly for several years, and encourage and help population exchange — a supervised and subsidized separation of those who wish to move.

There may be other logical alternatives. But without a plan that includes a clear objective for the long-term future, all the United Nations can do is thrash around aimlessly. At

best, it will be bogged down like the British Army in Northern Ireland. Since many of its supplies are pilfered or "paid out" as "charges" at checkpoints, the United Nations feeds the black market in the Balkans. RICHARD WILSON
Cambridge, Mass., June 2, 1995

Rescue the Children

To the Editor:

The children of Bosnia should not be allowed to become the slaughtered innocent victims of the intensified fighting in Bosnia.

In 1937, a Kindertransport was organized in Germany before Hitler closed the door, when the British Government made 10,000 visas available for German children. Of the 7,000 rescued, 75 percent were Jewish and 25 percent Christian. Only 1,000 children arrived in the United States with parents, relatives or alone from Germany in 1938 and 1939.

Several European countries are organized to accept refugee children. There they would be closer to home.



David Sauer

The United Nations is in the best position to organize the transfer of children of any ethnic group out of Bosnia. AL BOOTH
Chicago, June 5, 1995

Folly of Air Strike

To the Editor:

I am at a loss to understand why North Atlantic Treaty Organization bombs were dropped in Bosnia while

United Nations peacekeepers were on the ground. If any schoolchild could figure out the results of such an action, why couldn't our military and the decision makers who authorized the air strike?

Was it stupidity, or was it a plan to manipulate public opinion into supporting a deployment of United States troops in Bosnia? Since the Bosnian Serbs retaliated by taking United Nations peacekeepers as hostages, all of a sudden there was a green light for the United States to send 2,000 marines and an aircraft carrier to the Adriatic. Britain announced it would send 5,000 ground troops to Bosnia, and France has also sent a carrier to the Adriatic.

The United States, United Nations and NATO involvement in the Bosnian war seems to have done a better job of keeping the war going than of ending it. A war in the Balkans is always dangerous, and increased military pressure will only escalate the war. Only through practical negotiations, or restructuring a loose Balkan confederation, will a lasting peace emerge. The danger of a wider war with no winners looms ominously before us. GEORGE KELLY
Mill Valley, Calif., June 4, 1995

Four Interests Involved

To the Editor:

William Safire contends that "pouring weapons into Bosnia and dropping bombs on the Bosnian Serbs is the best way to 'win the war'" (column, June 1). If successful, this pour and drop strategy would result in the death or expulsion of more than a million Serbs from their ancestral homeland. A similar fate would be met by the tens of thousands of Muslims in Bihać loyal to Fikret Abdić, who do not support the insane policies of the Izetbegovic regime.

The time has come to recognize that there are four constituent groups in Bosnia: the Croats, the Muslims led by Alija Izetbegovic, the Muslims led by Mr. Abdić, and the Serbs. The Western goal must be to insure that no single group is allowed to impose its will on any of the others and that a mutually acceptable constitutional package is agreed upon. GEORGE TINTOR
London, June 5, 1995

Movie Violence Has Become Routine

To the Editor:

In your June 4 news article on the general moviegoer's response to Senator Bob Dole's comments on the entertainment industry, I might submit that the 17-year-old high school junior who admits to seeing "Natural Born Killers" seven times graphically illustrates the magnitude of the cultural problem that Senator Dole and others decry.

For anyone at that impressionable age to repeatedly witness and "reality like" such a wanton depiction of mindless, casual violence cannot but adversely affect the outlook of such a person, and, by extension, of society as a whole.

I am a surgeon of 30 years' experience, including a year's service in Vietnam in 1968-69 and, no, I have not seen this movie.

The reviews were enough to send me elsewhere.

This brings to mind the totally stunned silence with which the movie audience in Houston greeted the premiere of Alfred Hitchcock's "Psycho" in the Majestic Theater, with every one of the 2,000 seats filled. Not one sound was heard as everyone sat there in stunned silence, because of the wanton violence in the shower scene.

Nowadays such violence is considered routine, and audiences are injured to violence 10 times as horrific. BOONE BRACKETT
Oak Park, Ill., June 5, 1995

Japanese Know How to Insult the Police

To the Editor:

As a Japanese national I was amused and annoyed after reading "A Neighborhood Style of Police State" (Week in Review, June 4), in which police are seen as respected civil servants, performing their duties with cheerful alacrity.

The assertion that "there are no insults in Japanese corresponding to 'pig' in English" is not true. Japanese have long referred to the police as dogs (inu). Among other things, this pertains to the sniffing sound dogs make when snooping around.

This is by far a worse insult than the word "pori" (from the English

word police) that you claim gangsters hurl at the police. You need only watch one Japanese gangster movie to verify this. To criminals in Japan (like criminals the world over), the police are at best a despised irritant, rather than the hapless, gentle souls you portray.

In addition, why use the city of Mito (in Ibaragi Prefecture) as an example of all the police in Japan? That would be like using the police in Richmond to represent the police in the United States. Yet your large picture shows a koban, or police box, in Tokyo! YOSHIKO OKANO
Chicago, June 6, 1995

A Special Counsel Feels the Pressure to Indict

To the Editor:

Re "Special Counsels, Petty Cases" (Op-Ed, June 5): Elliot L. Richardson provides cogent reasons why we need fewer special prosecutors. Let me provide one more.

A public prosecutor is normally appointed or elected for a term of years; he or she will make thousands of judgments in cases spanning a range of offenses.

His performance will not be judged by his decision in one case alone, and he will therefore feel more freedom to make every decision on the merits.

A special prosecutor, by contrast, investigates only one case. He knows observers will judge him on one case, and perhaps on one decision — whether or not he indicted the top official.

This may put pressure on the special prosecutor to indict when in doubt. That way, he won't be labeled a coward. Later, it will have been a jury, not the prosecutor, who decided the defendant's fate.

Such pressure provides yet another reason against the routine appointment of special prosecutors. Such pressure can also create the appearance that a decision to indict has been affected by factors other than the law and evidence. KENNETH A. CARUSO
New York, June 6, 1995
The writer is a lawyer.

Unreformed Social Security System Presents a Scary Prospect

To the Editor:

Senators Bob Kerrey and Alan K. Simpson are to be congratulated on "How to Save Social Security" (Op-Ed, May 23), in which they point out the serious flaws in our Social Security system.

Many Americans think Social Security is a pension plan, similar to those provided by major corporations and insurance companies. But what workers pay into it is treated by the Government not as an inviolable trust, but a pot that can be dipped into for ordinary Government expenses — as well as a source of ongoing Social Security benefits.

The Treasury gives the Social Security system a single piece of paper called a bond in the amount of each year's Social Security receipts. It is nothing more than a promissory note to be redeemed if the Government has the wherewithal to honor this obligation.

The reserve fund will be exhausted in the first part of the 21st century because Social Security receipts are spent as they are received. However, when receipts are less than benefits,

the difference, theoretically, will be taken out of the reserve, which will be merely the reduction of the promissory note.

Hence, it is a play on words to speak of a reserve fund or to talk about its exhaustion.

The United States Government will make up the difference out of other taxation, so as the so-called reserves are reduced, the money to pay the benefits increases the Government deficit: perhaps by many trillions of dollars.

As the paper Social Security reserves are exhausted, present efforts to reduce the size of Government and to balance the budget over a period of seven years will be totally frustrated.

Eventually the nation's choice will be to increase taxation, enlarge the

deficit, or not have enough money to pay interest on the debt and the other costs of running the Federal Government.

A scary prospect if the reforms proposed by the Senators are not adopted. MILTON HANDLER
Lawrence A. BENENSON
New York, May 25, 1995
The writers are lawyers.

Checks and Funds

To the Editor:

Re "Social Security Checks" (letter, June 5), which asserts that funds received by Social Security are immediately spent on Social Security checks:

The old age, survivors and disability insurance trust funds will receive for the current year about \$369 billion (mostly contributions) and \$33 billion from interest on investments in Government bonds and pay \$342 billion (mostly benefits).

The \$60 billion excess of income over payout will be added to the accumulated prior excesses and will also be invested in Government bonds. The investment portfolio of nearly \$500 billion will continue to grow and help offset increasing future demands on the trust funds.

The United States Government bonds are about the same as available to the public and equally secure. DAVID LANGER
New York, June 6, 1995
The writer is an actuary.

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FILM

Joel Schumacher: A 'Batman' Director with a Past

Films by Joel Schumacher have almost always been praised for their look, feel and light touches.

By BERNARD WEINRAUB

Batman, who is haunted by a traumatic childhood and attracted to danger, has always appealed to Joel Schumacher. "He's not a superhero but a real man with real vulnerabilities," said Mr. Schumacher, the director of "Batman Forever," the third Batman spectacle in recent years.

"He's also sexier and cooler than Superman," the director added. "I mean, let's face it. Any guy who chooses to go out at night dressed like a bat as a vigilante is an interesting and isolating character."

Mr. Schumacher's fascination with Batman is somewhat personal; the director endured an isolating childhood and was, in the 60's and 70's, lured to the night life and dangerous drug fringes of New York's club scene. For the past two years, the 55-year-old film maker has been consumed with the creation of "Batman Forever," the third film in the hugely successful Warner Brother series about Gotham's dark knight, which has grossed \$700 million worldwide.

The film, which cost nearly \$80 million to make (at least \$20 million more will be spent to promote it), opens Friday with a cast that includes Val Kilmer as Batman. (He replaced Michael Keaton, who played the role in the first two films. The 1989 version, "Batman," was stolen by Jack Nicholson as the Joker, and the 1992 version, "Batman Returns," stolen by Michelle Pfeiffer as Catwoman; Mr. Keaton demanded that Batman's part be beefed up in the third film, then dropped out over money matters.)

Also in the cast of "Batman Forever" are Tommy Lee Jones as Two-Face and Jim Carrey as the Riddler, the over-the-top villains; Nicole Kidman as Dr. Chase Meridian, a gorgeous psychologist with a fascination for the mysterious caped one, and Chris O'Donnell as Robin, Batman's daredevil sidekick. The film's something-for-everyone casting is an attempt to attract the widest possible audience to what they hoped would be a lighter and brighter Batworld.

Mr. Schumacher, who is something of a hired hand these days at Warner Brothers, has climbed steadily from directing grade-B pictures with style to being a successful commercial film maker. His recent works include "St. Elmo's Fire," "The Lost Boys" and "Cousins," all in the 1980's, and in the last few years, "Flatliners," "Dying Young," "Falling Down" and the movie of John Grisham's book "The Client." His next project is the movie version of Mr. Grisham's first novel, "A Time to Kill." Mr. Schumacher's recent films have generally been accorded positive critical treatment. But a persistent complaint about the director is that his works have more style than substance and that a movie like "Falling Down," with its portrayal of right-wing violence, was irresponsible.

Mr. Schumacher was Warner Brothers' first choice to take over Batman after Tim Burton, the director of the first two films, opted not to do the third movie. (Mr. Burton, a friend of Mr. Schumacher's, is one of the producers this time around.)

"Terry and I wanted this 'Bat-



Mr. Schumacher, the director of "Batman Forever" — "I should have been dead 50 times."

man" to be a little more fun and brighter than the last one," said Robert Daly, who is co-chairman of Warner Brothers with Terry Semel. "The first 'Batman' was wonderful. The second got terrific reviews, but some people felt it was too dark, especially for young kids."

Mr. Schumacher was selected because his last two films at Warner Brothers ("The Client" and "Falling Down") were viewed as solid successes; he had developed a reputation as a film maker who could deal coolly with difficult actors and situations, and, perhaps most important, his movies had visual flair.

"Batman" requires an awful lot of style," said Mr. Daly. "We wanted a kind of hip sensibility that we knew Joel had. And, I'll tell you, I've never seen a movie as big as this one that went so smoothly. It stayed on schedule and actually came in under budget. That's the way Joel operates."

Mr. Schumacher, who was invited to the Warner Brothers lot to discuss the project while he was filming "The Client" in Nashville, says he was both flattered and amazed at the assignment. "Bob or Terry, I can't remember which one, started the discussion by saying they wanted to offer me the corporation's largest asset," he said. "They didn't say, 'Do you want to make a movie?' It was very corporate. There was a seriousness to it, and it was kind of naïve on my part because I didn't quite realize I'd be involved in the licensing and marketing, the Kenner toys, the McDonald's, Wal-Mart, Sears, you name it." Warner Brothers consumer products division considered Mr. Schumacher essential to gathering commitments from retailers and licensees for Batman-related products, and he went on the hustings for the corporation.

"It was kind of like climbing Mount Everest," he said of shooting the movie, "and when it was over I thought, 'Wow, I could have died,'

There's a kind of reckless flying-in-the-dark-without-instruments feeling to film making anyway. It's like building a 747 while you're flying it. You have absolutely no idea if it's going to land safely."

This particular morning Mr. Schumacher was sitting in his home in Bel Air, looking lanky and ponytailed. His casual style and unpretentious air clearly masks gritty determination and ambition. His home, replete with a butler and other staff, is, Mr. Schumacher acknowledges, a mishmash of styles and crammed with floral decorations ("That chandelier could be from Oscar Wilde's bedroom"), some garish and striking art, fabrics and rugs from Africa and Mexico, overstuffed chairs, trunks, religious paintings and other art, and tchotchkes everywhere.

"Some of it costs \$1.39, and some of it costs a lot of money," he said. "Here's a bat skeleton that Mike Ovitz sent me." He lifted up a small framed work with — well, maybe it was a bat skeleton.

In his study Mr. Schumacher, who lives alone, displays neatly stacked crates of "Batman" comics dating back to 1939, when the series, by Bob Kane, began at DC Comics. Using these comics, and given the orders to lighten up Batman, Mr. Schumacher and his writers concocted a fantasy introducing filmgoers to the two new villains, Two-Face and Riddler; to an actual love interest, Dr. Chase Meridian, and to a young man named Dick Grayson who joins Batman as the crime fighter Robin. ("I grew up on the Batman character, and there was always Batman and Robin, always," said Mr. Schumacher.) The film's script is credited to Lee Batchler, Janet Scott Batchler and Akiva Goldsman.

Unlike other directors who view even their sillier works with utmost self-importance, Mr. Schumacher discusses this project in almost irreverent fashion. "Who knows why

people like Batman?" he said, sipping mineral water straight from the bottle. "It's, like, a very cool outfit, that's No. 1, O.K.? He's also a sexy guy, a real man with vulnerabilities like a man, a man whose parents were killed in front of him when he was 9."

In tailoring this newest incarnation of Batman, Mr. Schumacher spent considerable energy on the

lavish sets of Gotham by Barbara Ling, who melded elements of Art Deco, Russian Constructivism and other artistic styles. Since costumes are Mr. Schumacher's forte, he also paid particular attention to the ones for this film, which were designed by Bob Ringwood, who spent years working in ballet, opera and theatrical productions in Europe.

The costumes were meant to be campy and very sexy, with the so-called Batsuit, embellished with nipples and super-stylized muscles. "The suits are very sexy because they're very body conscious," he said. "They're idealized, almost Greek, with a little steroid in it. It's playful sexy, of course. We're not talking 'Basic Instinct' here."

When it comes to directing actors, Mr. Schumacher has what many actors agree is a highly effective style. "He's real sensitive to actors' needs," said Mr. O'Donnell. "He wants to make sure you're in the right frame of mind, and he makes you want to talk to him on an acting as well as a personal level."

Ms. Kidman added: "He tells you what he likes in an honest and blunt way. And he makes it comfortable for you to take risks. Besides that, he'll tell you anything about his life, anything. And I admire him for that." And it is a well-rehearsed story, one he presents by using virtually the same words, phrases, anecdotes and metaphors each time he is asked to recount it.

He grew up an only child in Long Island City in Queens. "I'm an American mongrel," he said. "My father was a Baptist from Knoxville, Tenn. My mother was a Jew from Sweden."

His father died when he was young; his mother eked out a living selling dresses. As a child, Mr. Schumacher delivered meat for butcher shops and worked as a volunteer dressing store windows in the neighborhood. He left home at 15, lied about his age and got a job at Macy's doing window displays.

The late 1950's and 1960's were a wild ride for him. He moved to Miami, where he developed a habit of taking drugs and living hard that he didn't shake for years. "I'm lucky to be here," he said. "I should have been dead 50 times."

Returning to New York, he worked as a window dresser at Bendel's, and attended the Parsons School of Design, graduating with honors. But he was still heavily into drugs and moving in a fast world populated with such friends as Andy Warhol and Edie Sedgwick. Soon he was designing clothes and running Parapherna-

lia, a trendy boutique on the Upper East Side of Manhattan.

The sudden death in 1965 of his mother, a diabetic, devastated him. "I was in a maelstrom," he said. "I lived on speed. I can't remember the number of acid trips I took. This was a period when you thought if you took a lot of drugs and had a lot of sex you could change the world. Well, those who didn't die became hopeless addicts." For reasons he still doesn't quite understand, he said he stopped taking drugs in 1970.

"I was shooting up speed six times a day," he said. "I had lost five teeth. I was down to 130 pounds."

He returned to Bendel's and several friends, including Geraldine Stutz, the former president of Bendel's, helped bring him back to a more normal life. "I was \$50,000 in debt, \$30,000 of it back taxes," he said. "I rebuilt my entire life there, at Bendel's." He worked on television commercials and, in 1971, won a two-week trial as a costume designer in Hollywood for the film "Play It as It Lays."

By the late 1970's, after designing costumes for such films as "Sleeping Beauty" and "Blume in Love," Mr. Schumacher was given his first directing jobs on two television films. The first feature film he directed was "The Incredible Shrinking Woman" (1981), starring Lily Tomlin.

Except for flops like "Cousins," his films have almost always been praised for their look, feel and light touches. Caryn James, writing in The New York Times, called "Lost Boys" a "relentlessly funny" "hip, comic twist on classic vampire stories." She said that "Flatliners" was a "stylish, eerie psychological horror film loaded with wit" and praised Mr. Schumacher's "flair for just this sort of smart, unpretentious entertainment." And while opinion on "Falling Down" was mixed — with some critics offended by the portrayal of a man who becomes a vigilante — Vincent Canby, in The Times, called the film a "quintessentially American kind of pop movie making."

It is therefore easy to see why Warner Brothers wanted to trust its Batman franchise to Mr. Schumacher. But the director's work has also been criticized for being more flashy than substantive. Asked about this, his voice drops. "If you ask people to leave their homes, spend a lot of money on a movie, buy that terrible popcorn and those diluted sodas," he said, "you'd better tell them a story and entertain them. There's absolutely nothing wrong about that."

O CAPTAIN, MY CAPTAIN

BY CORAL AMENDE / EDITED BY WILL SHORTZ

ACROSS

- 1 "Little" person
7 Qualifies
15 Calyx division
20 To land
21 Brownish-yellow to the extreme
22 Astronaut Schirra
23 "I may be —, but...
24 Captain Kirk
26 Excommunicates
27 Binders
28 Say it's so
29 Whole
32 Peter of rock's Kiss
34 Clever remark
36 Ancient X
37 San —, Italy
38 Cookout fare
39 Other
43 Captain America
48 —flow turbine
49 Suffix with magnet or meteor
50 Grew aware of
51 Once more or no more
52 Lick
53 Common side dishes
55 Waiting period, seemingly
56 Captain Bligh
58 Moon phenomenon
59 Novelist — Easton Ellis

- 60 Scratches (out)
61 "Old MacDonald" syllables
62 Kind of name
64 Happy as a lark
65 Less happy
69 Nanny's charge
70 Green scene
72 Hires a crew, perhaps
74 Linen hue
75 Captain Hook
79 Health care lobby, for short
80 Aunt Jemima or Uncle Ben's, e.g.
81 Subject of "The Last Command"
82 Put up
83 Brio
85 Not dawdle
86 — Orbiter (1960's craft)
87 Captain Nemo
90 Barbra's "Funny Girl" co-star
91 So-so
92 Sports org.
93 Bundle of money
94 Be behind
96 Days-old
97 Muffs
101 Less of a struggle
104 It should be even
105 Pocket liner
106 "Captain Blood"
111 Manifest

- 113 Docked, in a way
114 Without a doubt
115 Bygone flag symbol
116 Keeps in
117 "Mean Streets" director
118 Whole bunch
DOWN
1 Browning's — Ben Ezra
2 Flu variety
3 Obsolete contraction
4 Famed horseman
5 "Be" conjugate
6 Forewent
7 Connections in old Rome
8 Fluff
9 Cheated on
10 Denture part
11 Tots: Var.
12 Take away, in a way
13 Double-hook shape
14 Erwin of old TV
15 Fab
16 Captain Cook
17 Balletic bend
18 Sleep like —
19 Swan's neighbor, in the night sky
25 Is friendly, with "around"
30 1988 Tim Rice musical
31 It comes after Easter

- 32 Fictional mariner from York
33 Word in a street-corner sermon
34 "The Divine Comedy" creatures
35 "Stop it!"
38 Vaudeville offering
40 Manchurian river
41 Settled
42 Actress Sommer
43 Baryshnikov, to friends
44 Road —
45 Shuts up
46 Mortimer the dummy
47 It's never played in school
48 Of equal size
54 Captain Queeg
56 Schnozzes
57 Cravings
59 Early English historian
63 Student's declaration, maybe
64 "Good —"
65 Cost — and...
66 Airline exec Carl
67 "Sesame Street" regular
68 More of a boor
70 It may be mechanical
71 About

- 72 Repairman's reading
73 Marine biology subject
75 Stick: Sp.
76 Syptic substance
77 1934 film seductress
78 Kenyan native
80 Lord of poetry
83 Step up
84 Breaches
88 "ER" sights
89 Emphatic type
91 Croft
95 Splits
96 Passover feast
98 Stoolies
99 Tom or Sam, e.g.
100 Bluish-gray
101 Report card woes
102 Got off
103 Auld lang —
104 Instrument with 13 strings
107 Mini-albums, for short
108 Varnish base
109 Metric volumes: Abbr.
110 "Yes, sir!"
111 Wordless communication
112 Through

ANSWER TO PREVIOUS PUZZLE

STARS BEAR DAMON PAGE
MAUDAU UNCARATIVE AIGED
ONKANE MARGARETAREEBOED
OSE OYONEVIST HODDOED
HUP LEO ENTS RUGAL
SEVENTHSHI RUGAL
TETS NOVASCOTIA RETTO
PAWHEE QUINQUINAR BRND
ELIOD BURS ETERNE ARND
SLICE AGES TRES CLICHE
TALER ETO RAZES OFFO
OUD NICE LOREL NOTI DCE
SENT LORAN PIT VOUE
SPANE DOWA ERRE ENNA
TETED SOMERO DOWN FLINT
ARRED INITIATIVE SHINY
BUONO ZENOCOPERA PANA
BORGE HENDOTRON
DILGIA POCK INC NIE
POWING DIAMONPERKE EGO
BENZENZINERAGAY GORYT
DOVER ACCEPTEARE FORKE
ERNS DEEDY RUED SHABLE



Tommy Lee Jones, left, plays Two-Face and Jim Carrey is the Riddler in "Batman Forever" — Villains.

RUTH MASON

BUSINESS & FINANCE

MONDAY, JUNE 12, 1995

May's provident fund redemptions moderate

PROVIDENT fund (kupa gemel) redemptions moderated last month, dropping by nearly two-thirds from April, to NIS 490.4 million, as savers continued moving money to bank savings programs, the Treasury reported yesterday.

Poor yields have led savers to leave the funds in droves since the beginning of the year, having cashed in a total of NIS 3.9 billion. May's provident fund redemptions fell 57 percent to NIS 528.1m., from April's record NIS 1.23b.

Training funds (keren hishtal-

JOSE ROSENFELD

mut), whose assets dropped for the first time in April, experienced a turnaround last month with a NIS 37.7m. increase.

Since the outset of 1995, training fund assets have risen by NIS 149.8m.

Bank savings programs attracted nearly 40% fewer deposits last month than in April, reflecting the drop in provident fund redemptions.

Savings programs accumulated a net NIS 405m. in May,

bringing this year's total to NIS 3.8b.

Index-linked programs which promised attractive real yields brought in NIS 652m. last month, and have brought in NIS 4.5b. since the beginning of the year.

Foreign currency-linked savings programs continued to register withdrawals due to a weak dollar in world markets. Savers removed NIS 247.1m. from foreign-currency linked programs last month, and have pulled out NIS 714.4m. since the outset of the year.

Class action suit filed against Pass-Port

RACHEL NEIMAN

PASS-PORT shareholders filed a NIS 55.65 million class action suit yesterday in Tel Aviv District Court against the company, its board of directors, and controlling shareholders Joe Elmaleh and Dani Toledano.

Other co-defendants to the suit are Pass-Port board members Sasson Bar-Yosef and Michael Walden, as well as controlling shareholders in JOEL and JOEL Holdings.

The suit was filed by Pass-Port shareholders Ya'acov and Avigdor Tessler, who are demanding compensation for damages caused to company shareholders due to poor investments. These include a NIS 30m. loss on the now-bankrupt, US-based vacuum cleaner maker Regina, and a

NIS 24m. loss on securities purchased by the company last year.

The Tesslers requested damages be paid retroactively either to August 19 1994 - the date of the Regina purchase - or to December 31, 1994. They claimed that damages should be paid to persons holding shares at that time, regardless of whether they are still current shareholders.

Attorney Herzl Caspi of Barzel & Partners said the complainants are interested in the firm's responsibility towards its public shareholders. In a statement issued yesterday, the complainants made four major claims:

• Pass-Port's stated goal was oil and gas exploration and it was on



Joe Elmaleh, Pass-Port's controlling shareholder, is a co-defendant in the lawsuit.

this basis the company raised public funds.

• The shareholders' legitimate right to expect preferential treatment on the part of Pass-Port, the company's board, and controlling interest shareholders was oppressed.

• Pass-Port, "through recklessness, inexperience, lack of preventive measures, and violation of duty of care" betrayed its public shareholders.

• There is reason to believe external considerations directed the controlling interest shareholders in their actions, and therefore, they did not act in the best interests of Pass-Port's public shareholders.

Caspi said his clients had also filed a request for a class action suit according to the securities law.

Avner reports NIS 2m. profits in first quarter

GALIT LIPKIS BECK

AVNER Insurance completed the first quarter of 1995 with net profits of NIS 2.05 million, reflecting a continued improvement in the company's financial situation.

The consortium insurance company, which compensates automobile accident victims, reported a net profit of NIS 22.04m. in all of 1994. The company's accumulated deficit fell to NIS 862m. at the end of March, from NIS 1.13 billion at the end of 1993.

"The results were achieved as a result of trends forecasted in the 1994 reports, growth in premium payments due to the rise in tariffs, and growth in fleets of cars as well as stability in insurance claims, efficiency measures, and reduction in expenses," the company said.

The results do not include premiums of NIS 54m. for 1994 and NIS 20m. for the first quarter of 1995 which are owned from Elisha Insurance, due to the ongoing legal conflict between the two companies.

Insurance premiums reached NIS 433.17m. in the first quarter.

In the reported period, Avner's investment portfolio increased to NIS 3.13b., from NIS 2.87b. at the end of 1994.

"In order to complete the company's recovery in the compulsory car insurance field, it is important to complete Amendment 12 of the automobile accident victim compensation law, which is intended to increase efficiency and reduce cost of claims....," the company said.

Cabinet okays lower property improvement tax exemption

JOSE ROSENFELD

THE cabinet approved yesterday the Treasury's proposal to lower the property improvement sales tax (mas shevah) exemption to NIS 900,000 for the sale of two apartments within four years, instead of the current NIS 1.4 million for two apartments sold within a year.

The proposal will replace the current temporary provision which expires at the end of the month.

The more generous temporary provision was enacted at the beginning of the recent immigration wave to help increase the stock of available housing in the market.

Under the proposed law, individuals who own only one apartment will get a full exemption on the property improvement sales tax.

Those who own more than one apartment will also be entitled

to full exemption for the sale of one apartment every four years.

If more than one apartment is sold in four years, however, individuals will be entitled to a NIS 900,000 exemption on the total price of both dwellings.

The exemptions will be offered only to residents and not to foreigners due to a shortage in dwellings.

Following the ministerial legislative committee's review, the legislation will be forwarded to the Knesset for enactment.

Gold Mastercard holders asked to replace cards due to US forgery

GALIT LIPKIS BECK

LOCAL banks have requested hundreds of Gold Mastercard credit card holders to replace their cards following the discovery of a US group that forged the cards' metallic strip.

Eurocard has instructed local banks to cancel all credit cards carrying the same series number as the forged cards. The instructions were given after US authorities discovered a small number

of credit cards had been forged and misused.

As a result, the banks are replacing the cards and requesting card holders to review their monthly expense record for any irregularities.

A Bank Haapoalim spokesman said there are hundreds of credit cards with the same logistic series

as the forged cards.

"A limited number of cards were forged and misused. The chances that one of our customers' cards was forged is close to zero, but to be on the safe side, we are canceling all Gold Mastercards carrying the same series number as the forged cards."

The spokesman added that customers will be covered for all damages.

'Child' allowance doesn't solve poverty problem

JOSE ROSENFELD

STATE child allowances help poor families in the short run but reduce their chances for eventually escaping poverty, according to a Bank of Israel research paper published yesterday.

The paper entitled, "Why are the poor rich in children?", by senior economist of the central bank's research department Momi Dahan, reveals that although the allowances encourage poor families to have children, the families have difficulty financing their children's higher education. Without access to such education, however, the families remain trapped in poverty.

The research attributes the poor's lack of access to the capital market as a major obstacle in

acquiring higher education.

Based on the paper's findings, government assistance to higher education opens doors to the poor and contributes to economic growth.

The cost of purchasing education increases the expenditures of a family while it reduces the possibilities of raising children. Nevertheless, the paper refutes the theory that higher wages lead to fewer children.

Although higher wages, as a result of higher education, come at the expense of time available to raise children, the increased income enables a family to meet the higher expenses related to raising children.

BUSINESS BRIEFS

Transport Minister Yisrael Kessar is to present for approval the first stage of Ben-Gurion Airport's new terminal development program to the ministerial economics committee today. The first step of the "Ben-Gurion 2000" project involves a NIS 1.7 billion budget while the overall cost of the project is estimated at NIS 3b.

Timex one of 14 recipients of BIRD grant: Leading US watchmaker Timex is one of 14 new recipients of grants from the Israel-US Binational Industrial Research and Development Foundation (BIRD). BIRD will invest \$8 million to cover its 50 percent share of the projects' costs.

"We believe that Timex and many other companies will benefit from peaceful developments in this part of the world," Timex VP Mohammed Saleh said following a BIRD board of governors meeting Wednesday.

Other local firms receiving BIRD grants include Cyclone Aviation, LIBIT Signal Processing, and Elscintec. Rachel Neiman

Two-sided firms lose NIS 500m. in '94 investments: Companies listed on the two-sided index reported total losses of about NIS 500 million from investments in securities last year, reflecting a 13.4% average drop in the value of security investment portfolios, according to Ilanot Discount's survey of firms.

The survey included 76 public companies traded on the two-sided index, with the exception of banks and insurance companies.

Galit Lipkis Beck

ISRAEL MONEY MARKETS

Patah (foreign currency deposit rates) (11.6.95)

Currency (deposit for)	3 MONTHS	6 MONTHS	12 MONTHS
U.S. dollar (\$50,000)	5.125	5.000	5.125
Pound sterling (£100,000)	4.825	4.750	5.125
German mark (DM 200,000)	2.875	2.875	3.250
Swiss franc (SF 200,000)	2.125	2.125	2.500
Yen (10 million yen)	—	—	—

(Rates vary higher or lower than indicated according to deposit)

Shekel Foreign Exchange Rates* (9.6.95)			
CURRENCIES AND TRANSFERS		BANKNOTES	
Buy	Sell	Buy	Sell
U.S. dollar	3.4485	3.5021	3.4750
U.S. dollar	2.9821	3.0102	2.91
German mark	2.1067	2.1407	2.07
Pound sterling	4.7820	4.8084	4.65
French franc	0.5889	0.5986	0.58
Japanese yen (100)	3.4986	3.5361	3.43
Dutch florin	1.8823	1.9127	1.85
Swiss franc	2.5338	2.5950	2.51
Swedish krona	0.4089	0.4166	0.40
Norwegian krona	0.4734	0.4811	0.46
Denmark krone	0.5389	0.5487	0.53
Finnish mark	0.6894	0.6975	0.67
Canadian dollar	2.1574	2.1922	2.12
Australian dollar	2.1349	2.1804	2.08
S. African rand	0.8265	0.8195	0.73
Belgian franc (10)	1.0247	1.0415	1.00
Austrian schilling (10)	2.9946	3.0429	2.94
Italian lire (1000)	1.8045	1.8537	1.77
Jordanian dinar	—	—	4.45
Egyptian pound	—	—	0.84
Irish punt	3.216	3.2544	3.16
Spanish peseta (100)	4.813	4.8938	4.78
	2.4285	2.4557	2.38

* These rates vary according to bank. ** Bank of Israel.

SOURCE: BANK LEUMI

IS THE DOLLAR ON THE RISE OR ON THE RUN?

Mr. Brian Marber, an independent foreign exchange consultant, said despite recent setbacks, "it is still my contention that the dollar has made a major low. The pull-back of last week was just what the dollar did during each of the previous rallies. The dollar hasn't done anything in my book that violates that view."

THE FINANCIAL TIMES OF LONDON
31 May 1995

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ISRAEL DISCOUNT BANK

Scitex Corporation Ltd.

Notice of Annual General Meeting of Shareholders

Notice is hereby given that the Annual General Meeting of Shareholders of Scitex Corporation Ltd., will be held at the offices of the Company, Hamada Street, Industrial Park, Herzlia B, Israel, on Tuesday, June 20, 1995, at 2:00 p.m. Shareholders of record at the close of business on April 24, 1995, are entitled to notice of, and to vote at, the meeting and notices, proxy solicitation material and forms of proxy have been mailed to such shareholders. Shareholders who are interested in further information should contact David Shulman, the Corporate Secretary of the Company, Tel: 09-537334, Herzlia, Israel, June 12, 1995.



Jerusalem District Electricity Co. Ltd. Tender No. 18/95

Plastic Electric Boxes

Bids are invited for the supply of Plastic Electric Boxes. A copy of the specification and conditions of tender can be obtained from the Secretary of the Board of Directors, 15 Salah el-Din Street, East Jerusalem, Tel. 282385/87, until June 16, 1995. Bids should be submitted not later than 12 noon on July 2, 1995.

Muster French champ

PARIS (AP) — Thomas Muster crowned a perfect clay-court season and won his first French Open title by overpowering Michael Chang 7-5, 6-2, 6-4 yesterday.

Muster is unbeaten on clay this season and extended his unbeaten run to 35. Chang, the 1989 champion here, led 5-2 but Muster won 11 of the next 13 games to go two sets up.

He broke Chang for a 5-4 lead in the third set and served out the match to become the first Austrian to win a Grand Slam title.

When Chang hit a backhand wide on Muster's second match point, Muster fell on his back and clenched his fists over his head, while the sellout crowd of 16,500 at the Center Court of Roland Garros rose to give him an ovation.

"It's very special. It's fantastic, I don't know what to say," Muster said after his victory in two hours and one minute.

Muster, seeded fifth, has now won 22 straight finals on clay since losing to Karel Novacek in Munich in 1990.

This was his sixth title this year, all of them coming on clay. His streak includes titles in Monte Carlo and the Italian Open.

Muster had surgery to reconstruct left-knee ligaments crushed when a drunken driver backed into him before the final in Key Biscayne, Florida in March 1989. He returned to tennis less than six months later.

"When I was a kid I used to dream of standing here and holding the cup."

"I really wanted it and there is



SLAM JOB — Thomas Muster becomes the first Austrian to win a Grand Slam title.

not much to say after that," Muster said in a brief victory speech at Center Court. "I hope to see you next year when I defend the title."

Chang praised Muster's consistency. "It's a great accomplishment to go from the beginning of the clay-court season all the way to here. That's commendable."

Men's Singles — Thomas Muster (5), Austria
Women's Singles — Steffi Graf (2), Germany
Men's Doubles — Jacco Eltingh, Netherlands, and Paul Haarhuis (2), Netherlands
Women's Doubles — Gigi Fernandez, US, and Natasha Zvereva (2), Belarus
Mixed Doubles — Larisa Neiland, Latvia, and Mark Woodforde (1), Australia
Boys' Singles — Mariano Zabaleta, Argentina
Girls' Singles — Amelie Maheux, France
Boys' Doubles — Rensman Shuler, Netherlands, and Peter Weissel, Netherlands
Girls' Doubles — Corina Morariu, US, and Ludmila Varmuzova, San Marino

Flyers even it up

EAST RUTHERFORD (AP) — Philadelphia got goals from four different players and 32 saves from Ron Hextall to beat the New Jersey Devils 4-2 Saturday, tying their Stanley Cup semifinal playoff series 2-2.

For the second straight game, Philadelphia put a dent in the invincibility of the Devils' neutral zone, and sent the best-of-7 series to Philadelphia last night for Game 5.

Also last night, the Chicago Blackhawks were at Detroit for Game 5 of the Western Conference Finals. The Pistons held a 3-1 edge.

After New Jersey won the first two games in Philadelphia, the Flyers responded with patience and tactics, beating the neutral zone trap to earn two victories in New Jersey's home stadium.

New Jersey, which is considering an offer to move to Nashville, Tennessee, might have thought an overtime loss in Game 3 was a fluke because of a bad-bounce goal that tied the score. But Philadelphia was clearly the better

team on Saturday.

The Flyers got goals from Shjon Pedein, Mikael Renberg, Rod Brind'Amour and Eric Desjardins, and outstanding play from goalie Hextall.

The four goals were the most against the Devils in a playoff game this season as the Flyers drove Martin Brodeur from the net with 745 to play. He had only 13 saves on 17 shots.

Brian Rolston, filling in for a surprisingly absent Stephane Richer, and Mike Peluso scored for New Jersey, which lost two in a row for the first time in the playoffs.

Rolston gave the Devils a 1-0 lead with 5:16 left in the first period, beating Hextall between the pads on a shot from the left circle. Pedein tied it with 1:51 remaining in the period, deflecting a shot by defenseman Karl Dykhus under Brodeur's thigh as the goalie lay on the ice.

Eric Lindros, who scored the game-winning Wednesday night, set up the go-ahead goal with 2:10 left in the second period.

Brazil beats England, 3-1

LONDON (Renter) — World champions Brazil sent England crashing to its worst home defeat since 1972 yesterday it won the last match of the International Challenge Cup 3-1 with a superb attacking display in the second half.

Though England came from two goals down in the final two minutes to draw 3-3 with Sweden in mid-week, it could find no way back against the Brazilians in a hard-fought match which ended the week-long four-team tournament.

Although England took the lead with a Graeme Le Saux goal after 39 minutes, Brazil replied with a 55th-minute freekick from Juninho, a 62nd-minute solo effort by Ronaldo and a 77th-minute classic from Edmundo, who poked the ball through goalkeeper Tim Flowers' legs to score.

The defeat was also England's first in 10 matches under coach Terry Venables. It stretched Brazil's unbeaten run to 20 matches since November 1993.

Andrew leads England past Aussies

Will face New Zealand, 48-30 victors over Scotland

CAPE TOWN (AP) — Rob Andrew's long-range drop goal in injury time yesterday lifted England to a dramatic 25-22 Rugby World Cup quarter-final victory over defending champion Australia.

With the victory, England avenged a 12-6 loss to the Wallabies in the 1991 World Cup final and headed for a June 18 semifinal match against New Zealand, 48-30 victors over Scotland in yesterday's other quarter-final.

In the other semifinal, South Africa takes on France.

Australia goes home despite coming back from a 13-6 deficit and missing a chance for extra time by seconds. It is the earliest World Cup exit for the Wallabies, who finished third in 1987 and won the 1991 tournament.

The teams were locked at 22-22 after a tight, tense struggle before the deadly-accurate Andrew was able to calmly slot the ball between the posts.

Andrew, who had a personal tally of 20 points, also kicked five penalties and a conversion for England, which got a first-half try from wing Tony Underwood and played with control and composure.

Australia failed in its attempt to win back-to-back titles and suffered its second loss in four games after being beaten in the tournament opener by South Africa. It was unbeaten throughout 1994.

Australia's points came from a try early in the second half by wing Damian Smith and five penalties and a conversion to flyhalf Michael Lynagh.

Andrew's soaring kick from 40 meters sparked off wild jubilation among the several thousand England fans at Newlands.

"It was about as good as they get — he struck it very sweetly,"



ROUGHING IT — New Zealand's captain Sean Fitzpatrick runs headlong into a bevy of Scottish defenders.

Lynagh said of his English counterpart. "It was a fantastic kick in an extraordinary pressure situation."

Scorers: ENGLAND 25: Try — Tony Underwood. Penalties — Rob Andrew (5). Conversion — Andrew. Drop goal — Andrew. AUSTRALIA 22: Try — Damian Smith. Penalties — Michael Lynagh (5). Conversion — Lynagh.

New Zealand 48, Scotland 30
New Zealand poured through six tries to batter Scotland.

The crushing victory by the All Blacks, playing in white, affirmed their status as favorites to win the month-long tournament.

For Scotland, losing to New Zealand has become a familiar way to end the World Cup. It fell 30-3 to the All Blacks in the 1987 quarter-finals, then lost 13-6 in the third-place match in 1991, before falling too far behind to come back yesterday.

Overall, New Zealand has defeated Scotland 16 times and two matches have ended in draws.

But Scotland captain Gavin Hastings finished his tournament as top scorer so far with 104 points and the all-time World Cup scoring lead with 227.

Hastings confirmed his intention to retire after the match and took a lap of honor among killed, banner-waving fans in the crowd of 28,000 at 49,655 capacity Loftus Versfeld.

The Scots were the first side since the All Blacks' opener since Ireland to put them under serious pressure and run in three tries, two by lock

Lonn flattened Gavin Hastings before going down near the try-line and pitching to center Walter Little to carry over.

Scorers: NEW ZEALAND 48: Tries — Walter Little (2), Jonah Lomu, Andrew Mehrtens, Frank Bunc, Sam Whitcombe, Cwerner, Mahealani (6); Penalties — Mahealani (2); SCOTLAND 30: Tries — Doddie Weir (2), Scott Hastings, Conversion — Gavin Hastings (5); Penalties — Hastings (3).

QUARTER-FINALS
At Johannesburg: South Africa 42, W. Samoa 14
At Cape Town: England 25, Australia 22
At Pretoria: New Zealand 48, Scotland 30

SEMI-FINALS
Saturday, June 17
At Durban: France 36, Ireland 12
At Johannesburg: South Africa 22, W. Samoa 14
Sunday, June 18
At Cape Town: England-New Zealand, 1800

FINALS
Thursday, June 22
At Pretoria: third place
Saturday, June 24
At Johannesburg: Semifinal winners

Hooper strokes Windies to win

LEEDS (AP) — Carl Hooper scorched England's bowlers with boundary after boundary as the West Indies won the first Test yesterday by nine wickets with a day to spare.

Hooper scored 73 runs, including four sixes and nine fours, as the tourists needed only 19 overs and less than two hours to race past the target of 126.

The runaway victory signaled a quick start to a West Indies revival in its first Test after losing the unofficial title as the world's best team. The West Indies lost its first Test series in 15 years last month, falling 2-1 at home to Australia.

The tourists were given the modest target after bowling England out for 208, with Courtney Walsh taking four wickets and Curtly Ambrose three.

England held a momentary glimpse of hope that the target was defendable when West Indies opener Sherman Campbell was out for 2, caught by captain Michael Atherton off Peter Martin.

But Hooper and Brian Lara manhandled England's attack, racking up a century partnership in just 60 minutes and 84 balls. Hooper scored 18 runs in one over against Phillip DeFreitas, including a three four and a six over the bowler's head that landed some 10 meters (yards) beyond the fence.

When England changed bowlers, it didn't matter much. Two overs later, Hooper dispatched back-to-back sixes against Richard Illingworth. Hooper, dismissed with the first ball that he faced in the first innings, needed only 45 balls to

gain his half-century.

England first innings 108

(M.Atherton 81)

(S.Campbell 52)

(J.Lara 55)

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Committees probe national power failure

Woman sues IEC for damages

RACHEL NEIMAN and Itim

THE Israel Electric Corporation committee set up to examine the company's response to the power failure that paralyzed most of the country last Thursday met all week-end long, and formed five subcommittees that will each analyze different aspects of the event.

A team of 70 engineers is analyzing data collected from IEC monitoring stations around the country. The committee, headed by IEC chief engineer Moshe Lasri, will meet every day and is to present its report to IEC general manager Rafi Peled on Thursday.

An independent committee, set up by Energy Minister Gonen Segev and headed by former Tel Aviv mayor Shlomo Lahat, met for the first time last night with Segev in attendance.

"Despite the fact that the malfunction was taken care of relatively quickly, the incident is serious and everything must be done in order to prevent similar situations in the future," Segev said.

Meanwhile, a woman yesterday filed a damages suit related to the outage against the IEC in Tel Aviv

District Court, and asked that her suit be recognized as a class action. Avigail Goldstein claimed the company was negligent in not maintaining its equipment and the areas surrounding its power lines in a manner that would have prevented the sequence of events that caused the power failure.

Goldstein noted in her suit that the electricity outage disrupted the lives of hundreds of thousands of people, and caused many people monetary losses, such as loss of work, excessive use of gasoline by those who were caught in traffic jams, and spoiled food.

Goldstein also cited the non-monetary inconveniences, such as inability to use air conditioning, televisions, some telephone systems, and cooking appliances.

The plaintiff claimed that the IEC took advantage of her and the rest of the population's dependence on it as the only supplier of electricity in the country.

She estimated her own damages at about NIS 200, but did not ask for a specific figure, saying she would leave that to the judge's discretion.



Energy Minister Gonen Segev (right) and former Tel Aviv mayor Shlomo Lahat at yesterday's first meeting of the independent committee investigating last week's power failure. Lahat is chairing the committee.

(Alon Ron/Israel Sun)

Rubinstein named district court judge

Former cabinet secretary Elyakim Rubinstein was yesterday made a Jerusalem District Court judge. The appointment had been controversial because, though everyone on the committee for appointing judges agreed he was qualified, the judges' representatives wanted to promote a magistrate's court judge rather than giving the post to an outsider. A compromise was reached whereby Jerusalem Magistrate's Court president Eliahu Ben-Zimra was also appointed to the district court.

Evelyn Gordon

Four youths remanded in soldier's killing

AMIR ROZENBLIT

FOUR youths suspected of being involved in the death of Moshe Suissa, 20, of Dimona, who was stabbed with a broken beer bottle during a quarrel at the Public Pub in the Negev town late Friday night, were remanded yesterday for eight days by the Dimona Magistrate's Court.

Two of those remanded were minors. The others were Avi Abu, 18, and Asher Bamnolker, 19. All are from Dimona.

Suissa, a soldier, had gone to the pub with his girlfriend and four other soldiers, all from Yavne, who were classmates in the squad leader's course. According to police, Suissa and his girlfriend were on the dance floor, when a group of youths, who had been drinking heavily,

made advances toward her. Suissa asked them to go away, and they attacked him. One of them broke a beer bottle over his head, then stabbed him in the chest with the jagged end.

Abu insisted he had not been involved in the original quarrel, which was started by Suissa, but had tried to help him after he had been knocked down. "But he punched me, so I punched him back. Then they grabbed me and threw me out. Then I hear bottles breaking. I didn't see who stabbed him," Abu told the court.

Bamnolker also maintained his innocence, saying he was at a kiosk across the street when Suissa was stabbed, and could produce four witnesses to this.

Cabinet backs bill to suspend indicted ministers

EVELYN GORDON

THE cabinet yesterday overruled Prime Minister Yitzhak Rabin and came out in support of a bill requiring the prime minister to suspend

any minister indicted for an offense involving moral turpitude.

The legislation essentially formalizes the High Court of Justice's ruling on the subject, issued in response to a petition against the continued tenure of then interior minister Aryeh Deri once the attorney-general had decided to indict him.

Justice Minister David Liba'i explained that the bill is meant to prevent a situation where a minister with a draft indictment against him can continue to serve indefinitely if the Knesset refuses to lift his immunity.

The bill was approved by the ministerial committee on legislation, but Economics and Religious Affairs Minister Shimon Shetreet appealed this decision to the full cabinet, arguing that no minister should be suspended unless the Knesset lifts his immunity. However, at yesterday's cabinet meeting, only Rabin and Health Minister Ephraim Sneh voted in favor of Shetreet's position.

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WEATHER
Jerusalem 18-31
Tel Aviv 18-29
Haifa 20-29
Tiberias 21-35
Ashdod 18-34
Beer Sheva 18-34
Dead Sea 27-40
Forecast: Partly cloudy to bright. Slight rise in temperatures.

AROUND THE WORLD

	LOW	HIGH	C	F	C	F	Cloud
Amsterdam	08	48	15	59	15	59	cloudy
Berlin	10	50	17	63	17	63	cloudy
Cairo	20	72	27	81	27	81	clear
Chengdu	10	50	17	63	17	63	cloudy
Frankfurt	08	48	15	59	15	59	cloudy
Geneva	11	52	17	63	17	63	cloudy
Helsinki	10	50	17	63	17	63	cloudy
Hong Kong	25	77	28	82	28	82	rain
London	10	50	17	63	17	63	cloudy
Los Angeles	14	57	24	75	24	75	clear
Madrid	18	54	31	88	31	88	clear
Moscow	15	59	25	77	25	77	cloudy
Shanghai	10	50	17	63	17	63	cloudy
Stockholm	14	57	24	75	24	75	cloudy
Taipei	24	76	28	82	28	82	rain
Tokyo	11	52	18	64	18	64	cloudy
Warsaw	18	61	23	73	23	73	cloudy
Washington	19	62	24	75	24	75	cloudy
Yokohama	19	62	24	75	24	75	cloudy
Zurich	10	50	17	63	17	63	cloudy

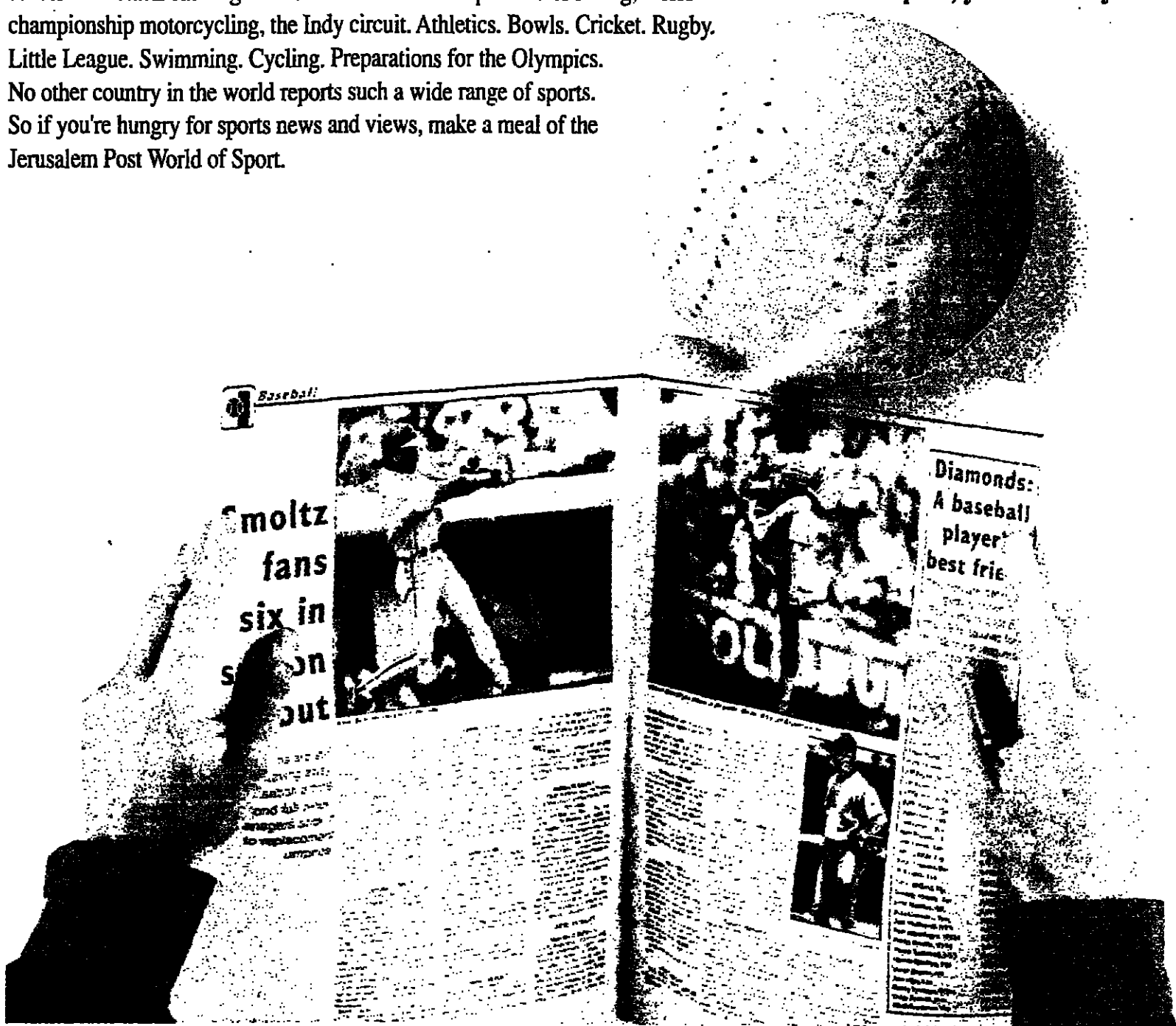
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YOUR WEEK JUST GOT **BRIGHTER** **THE JERUSALEM POST**

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Military court demotes Edri

HERB KEINON

OREN Edri, who was convicted earlier this year of taking explosives without authorization by the IDF, was demoted a rank, from lieutenant to second lieutenant, by a military appeals court in Tel Aviv yesterday.

The court, however, rejected the IDF judge advocate-general's appeal to stiffen Edri's sentence and convict him on conduct unbecoming an officer.

Edri's case made front-page headlines at the end of last year, because he was accused of smuggling arms to a Jewish terror cell in Kiryat Arba that never materialized, and because of his claims that he was mistreated by General Security Service agents during his questioning.

Edri was convicted by a military court in January of taking explosives without authorization from the IDF, but was acquitted of giving civilians military training, conduct unbecoming an officer, and divulging classified information.

Edri was sentenced to seven months in jail, but was released after the acquittal because he had already spent five months in jail, which was two-thirds of his term.

Col. Benzion Farhi, the head of

the appeals court, took the GSS to task for holding Edri in very difficult conditions, and said "there are many questions as to how Edri's statements were taken from him."

He said these statements were coerced, and that the interrogators at one point were actually involved in the phrasing of the statements.

Two of the three judges favored demoting Edri one rank to second lieutenant, while the third wanted to see him further demoted to sergeant.

Edri's appeal to overturn his entire conviction was turned down by the court, which upheld a conviction for taking one bloc of plastic explosives from his base. He was acquitted, however, on charges of taking other explosives.

Friends and relatives greeted Edri with shofar blasts when he emerged from court.

After the hearing, Edri told reporters, "The nation knows the truth. I think the judges decided to appease the prosecution and the GSS. My soldiers know me. They come to my house."

At this point Edri was cut off by a representative of the IDF Spokesman who said he could not be interviewed while in uniform.

Kollek honored by British religious order

Former Jerusalem mayor Teddy Kollek has been named an associate knight of the Order of the Hospital of St. John of Jerusalem, in recognition of his extensive work on behalf of the ophthalmic hospital.

The appointment was approved by Britain's Queen Elizabeth, who is sovereign head of the religious order.

St. John's Ophthalmic Hospital was established by the Order of St. John of Jerusalem in 1882. It sees some 60,000 patients yearly.

Jerusalem Post Staff

THE HEBREW UNIVERSITY OF JERUSALEM
THE DEPARTMENT OF AMERICAN STUDIES

invites the public to a lecture to be given (in English) by
PROFESSOR ALVIN ROSENFELD
Indiana University
on the subject of
THE AMERICANIZATION OF THE HOLOCAUST

14:30, Thursday, June 15, 1995
Room 502 Beit Maersdorf,
Mt. Scopus Campus, Hebrew University

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